

Topic Paper

**Revised Local  
2018-2033 Development  
Plan**

December 2018

Development Limits

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## **1. Introduction**

1.1 Carmarthenshire County Council is in the process of preparing the Revised Local Development Plan (LDP) for its area (excluding that part contained within the Brecon Beacons National Park). The aim of the Revised LDP is to make the Development Plan system more relevant, inclusive and engaging to local communities.

1.2 The Revised LDP will set out our proposals and policies for the future development and use of land within the plan area. Once finalised (adopted), the Revised LDP will supersede the current adopted LDP with decisions on planning permissions primarily based on its content.

1.3 A Development Plan provides a measure of certainty about what kind of development will, and will not, be permitted during the plan period.

1.4 The Plan will, at adoption contain detailed policies and proposals, both for the use of land and also the protection of the environment. It will guide investment and the delivery of services and infrastructure and will determine the level of provision and location of new housing and employment opportunities. The LDP provides the framework for considering all land use proposals across the plan period.

1.5 Due regard will be had to national and regional planning policy and guidance in the formulation of outcomes in respect of the LDP's preparation. In formulating the LDP, regard will also be had to plans, strategies and other background documents where relevant.

## **2. Purpose of this Paper**

2.1 This paper seeks to build upon the pre-deposit work undertaken to date including the evidence, topic papers and the Draft Preferred Strategy and its supporting documents. Topic papers will seek to set the context for the preparation of the LDP through the identification of overarching themes and detailed individual topic areas. They will seek to develop upon, and identify, some of the potential issues, options and objectives for the area and represent important components in the development of a robust evidence base.

2.2 This paper seeks to develop on matters in relation to the use (or otherwise) of development limits within the Carmarthenshire LDP. Accordingly, this paper will:

- develop upon the pre deposit work already undertaken (including the Draft Preferred Strategy);
- inform ongoing engagement and participation as the plan progresses to the Deposit stage;
- inform the preparation of the Deposit LDP; and,
- form part of the evidence base and supporting documents at the independent examination.

2.3 This paper may be further updated as the plan progresses. Such updates will ensure that the LDP process is appropriately informed.

### **3. Policy Context**

3.1 The preparation of an LDP is a statutory function of a local planning authority under the provisions of the Planning and Compulsory Purchase Act 2004. The function must be exercised as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015 - ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.

3.2 An important element in achieving this is the certainty LDP's should provide in relation to how places are expected to change in land-use terms in accommodating development needs over the plan period. This provides certainty not only for developers, but also the public about the type of development that will be permitted at a particular location<sup>1</sup>.

3.3 The relationship between town and country and their mutual dependence should be recognised particularly in terms of the use of development limits to development/settlement, and land allocation policies and proposals.

3.4 Development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new

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<sup>1</sup> Planning Policy Wales: Edition 9 (para. 2.1.2)

building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design<sup>2</sup>.

3.5 Planning Policy Wales (PPW) provides clear locational guidance for new housing developments. It states that these should be well integrated with and connected to the existing pattern of settlements with the expansion of settlements should avoid creating ribbon development, coalescence of settlements or fragmented development pattern<sup>3</sup>.

3.6 The overall result of new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development<sup>4</sup>.

3.7 The establishment of principles within PPW with regard to the future planning and management of growth and development within a spatial planning context are important components in planning for future change within the plan areas settlements. The Revised LDP will need to mediate conflicting issues, constraints and opportunities within settlements whilst shaping future growth and its management. The role of development limits in underpinning these key principles will be considered as a policy tool; both in terms of allocating specific sites for development and engendering a sense of place within the County's communities.

3.8 Technical Advice Note (TAN) 6 identifies that from a rural context development, not intended to cater for local need should continue to be located in market towns, local service centres or clusters of smaller settlements where a sustainable linkage can be demonstrated<sup>5</sup>. It further states that the use of criteria based policies should be considered in smaller settlements, rather than settlement boundaries. This will be subject to consideration within this paper and reflected in the Preferred Strategy.

## **Local**

3.9 The current adopted LDP utilises Development Limits in order to assist in the implementation of its Settlement Framework. This reflects an ongoing approach whereby

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<sup>2</sup> Planning Policy Wales: Edition 9 (para. 4.7.8)

<sup>3</sup> Planning Policy Wales: Edition 9 (para 9.3.1)

<sup>4</sup> Planning Policy Wales: Edition 9 (para 9.1.1)

<sup>5</sup> Technical Advice Note 6 Planning for Sustainable Rural Communities (July 2010)

Development Limits have also applied within previous development plans as a means of planning for growth and change.

## **4. What are Development Limits?**

4.1 Development Limits, or settlement limits as they are also sometimes known, are a planning policy tool used to differentiate between settlements that comprise of built form (and where further development may be acceptable) and areas or groups of dwellings/buildings whose character is more akin to the open countryside (with a resultant need to carefully manage new development).

4.2 They identify/communicate areas where development may be appropriate. These include: site allocations, infilling, extensions to settlements, redevelopment and conversion of buildings. They consolidate development within and around existing built form and defined settlements, and identify where further development (if properly designed and constructed) would not be incongruous or intrusive.

4.3 In providing the differential between the urban form and the countryside Development Limits supported by clear policy allows for the control of proposals outside their boundaries. Proposals within would be required to accord with general development principles relating to matters such as cramming, character etc. Development outside the limits, or in areas and settlements without limits, would normally be limited to uses which are appropriate to countryside locations, criteria based policies or the subject of exceptions policies.

## **5. The Pre- Deposit Preferred Strategy and the use of Development Limits**

5.1 The Revised LDP Pre-Deposit Preferred Strategy is accompanied by an initial SA/SEA Report along with a Habitats Regulations Assessment (HRA) Screening Report. It identifies the proposed spatial strategy and associated settlement framework through which development would be identified and distributed as appropriate.

5.2 The settlement framework is underpinned by a broad hierarchy of settlements across six clusters. This hierarchy is as follows

- Principal Centres
- Service centres
- Sustainable Villages
- Rural Villages
- Non Defined Rural Settlements

5.3 The Draft Preferred Strategy, in reflecting legislation, national planning policy and sustainability principles seeks to put in place a policy framework which assists in achieving viable, self supporting settlements and sustain communities including those within rural areas. It also recognises the importance of the areas qualities including the need to protect the Countryside from inappropriate development. In this respect the urban fringe is where this potential for conflict is most marked as settlement meets countryside. In recognition of this and to assist in the implementation of the hierarchy and the roles of respective settlements a clear distinction between what are built up areas (settlements) and the open countryside may be beneficial.

5.4 The Draft Preferred Strategy, whilst providing the spatial framework, does not identify allocated sites, nor does it provide sufficient clarity to allow for the identification of 'small sites' (i.e. those sites of 4 units or less which are not considered as part of the site assessment methodology) for development. Rather it includes a strategic appreciation of the future of the County and the extent to which development and the form of land use will take in delivering that. It is recognised that growth will be driven through both allocations and 'small sites' with many of the later shaping the growth of settlements and/or address particular local circumstances.

5.5 The growth of a defined settlement should be appropriate, both in terms of impact upon the character of the settlement and in ensuring that the scale of growth in a settlement reflects its position within the settlement hierarchy. This potential for growth must also ensure that considerations such as encroachment, ribboning and sporadic developments are effectively planned for. In this respect, it is a matter for future stages of the Plan's preparatory process (Deposit LDP) to include the necessary detail to define and shape the growth of individual settlements, and to address their specific issues and requirements including character and amenity. However it is appropriate that some of the general principles should be established.

5.6 It is therefore opportune to consider and expand on how it is proposed to ensure this is achieved. In so doing the Council is committed to ensuring it provides clarity and certainty about the directions in which a settlement might grow and how any growth will be managed.

5.7 Whilst TAN 6 makes specific reference to the potential use of criteria based policies (in relation to smaller settlements) it is only proper that their use be considered in context. However, the value of development limits as means of adding clarity and certainty in Plan making is recognised and their use has a longstanding acceptance. In this respect and noting the provisions of TAN6 it is proposed to continue with their use in those settlements where they are considered to be of sufficient scale and standing to fall within the following tiers as defined within the Draft Preferred Strategy:

- Principal Centres
- Service centres
- Sustainable Villages

5.8 A further tier Rural Villages (Tier 4) includes those settlement historically allocated development limits in previous development plans. Such settlements in being traditionally recognised often will have previously exhibited certain services and facilities – these in general terms may no longer exist and as such the status of the settlement within the Draft Preferred Strategy reflects this.

5.9 For such settlements the Draft Preferred Strategy proposes the use of criteria based policies. In this respect a set of detailed criteria will be developed and included as part of the Deposit LDP. These will set the parameters for what development may take place and in broad terms where. Any decision would however be considered in accordance with the criteria contained within the policy, along with other relevant policies and material considerations.

5.10 It can be argued criteria-based approach whilst providing potential benefits in terms of flexibility will also affords an opportunity for circumstances to be considered at that particular time and within a given context. It is noted that their effectiveness will be dependent on the clarity of definition, robustness of criteria and continuity in interpretation to ensure consistency of decision making.

5.11 In rationalising the use of development limits it is worth noting that in meeting the requirement of TAN 6 (to consider the use of criteria based policies, rather than identifying



settlement boundaries<sup>6</sup>), that there is no clear definition of a 'small settlement'. The range of settlements many of which differ significantly in terms of size etc reflects the diverse urban and rural aspects of the County characterised by its former industrialised and agricultural areas. In this regard what may be small in urban terms would be considered large in rural terms.

## **6. Applying Development Limits**

6.1 The use of development limits for defined settlements pre-dates the current adopted LDP and the previous UDP with older local plans having widely applied their use. Their intention was, and as a general principle remains, the defining the extent of cohesive built development and protecting the countryside from sporadic and inappropriate development.

6.2 Whilst this has historically been an accepted approach it must be recognised that some of the principles that underpin their use have changed, particularly the emphasis on improving the sustainability of the existing settlement pattern. In this regard TAN6 emphasises the role of a plan led system is in general supporting the delivery of sustainable rural communities<sup>7</sup>. In this respect the Deposit LDP will, in setting out the distribution of growth focus new allocations to communities or settlements in a way which the planning system can contribute to sustainability and climate change whilst also protecting the countryside and landscape.

6.3 The distribution of growth in a manner appropriate to the settlement hierarchy and the consolidation of development around existing communities (which exhibit local facilities) represents a sustainable response to the drive to; reduce carbon emissions, reduce the propensity to travel by private car, limit the potential for isolation particularly in rural areas and to protect the County's landscape and nature and historic conservation qualities. In this respect and reflecting PPW the top 3 tiers as identified within the Preferred Strategy as those with defined development limits, will predominantly be the preferred locations for most new development including housing and employment provision.

6.4 However, in relation to those settlement classified as Rural Villages (Tier 4) identified within the Preferred Strategy, the absence of development limits does not diminish their

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<sup>6</sup> Technical Advice Note 6 Planning for Sustainable Rural Communities (July 2010) – para. 2.2.4

<sup>7</sup> Technical Advice Note 6 Planning for Sustainable Rural Communities (July 2010) – para 2.1.1

potential to make contributions to their community and to accommodate appropriate opportunities.

6.5 There are a notable number of 'small settlements, large groups of dwellings and/or hamlets' throughout the County which have not been defined within the settlement hierarchy set out within the Preferred Strategy. It is proposed that such residential groupings will not be identified within the settlement hierarchy and will not be defined by Development Limits. Such groups or settlements often display little or no sustainability attributes, are sporadic in nature and or contain insufficient physical mass or facilities to warrant definition.

6.6 Whilst such examples are not proposed to receive development limits or market housing proposals, planning policy guidance allows for potential exceptions proposals that are intended to meet a demonstrated local need. Such exceptions for small scale infill proposals or on sites immediately adjoining and forming logical extension predominately for a single dwelling to such a small settlement, large group of dwellings or hamlet will be considered through an appropriate policy framework within the Deposit LDP. This reflects PPW which states that all new development away from existing settlements or areas allocated for development in development plans must continue to strictly controlled. It balances this need to protect the countryside and control development, whilst recognising (in accordance with TAN 6) that non accessible locations may also prove acceptable where it is intended to meet local needs.

## **7. Reviewing and Defining Development Limits**

7.1 In proposing to utilise Development Limits, it is important to ensure that there is consistency in their application (and the principles used in their preparation and/or review).

7.2 In order to facilitate the review (and/or refinement) of the Development Limits, it is proposed to utilise the existing limits as set out within the current adopted LDP as the starting point. This review/refinement will afford an opportunity to:

- ensure that their definition is in line with policies and proposals set out within the emerging LDP;
- ensure that boundaries are drawn in a consistent logical manner which offer clarity and robustness in decision making;

- reflect recent developments or planned and/or approved proposals as appropriate as well taking having due reference to a relevant planning history;
- accommodate any land use allocations that might be made for new development (where it is appropriate to do so) or for areas which are worthy of protection; and,
- to ensure that the development potential of a settlement is realised in a manner consistent with settlements character and having regard to any environmental or other considerations.

7.3 Reference will be made to the site assessment methodology in assessing the inclusion or otherwise of 5+ housing allocations. Those sites not able to accommodate five or more units by virtue of site constraints, etc will be considered as part of the review of development limits.

7.4 Amendments to the limits from that within previous development plans, may as part of the review, include identifying suitable new sites along with small areas of undeveloped land (if and where appropriate) as well as logical extensions etc.

7.5 The review of the Development Limits will achieve the following adhering to the content of the Draft Preferred Strategy and national Planning Policy Guidance by:-

- directing development to settlements identified within the preferred strategy in a manner consistent with its strategic objectives, policies and provisions;
- protecting the countryside from inappropriate development;
- ensuring that new development is sympathetic in scale and location to the form and character of the settlement;
- preventing the uncontrolled expansion of settlements and coalescence of neighbouring and distinct parts of settlements;
- relating development to opportunities in settlements to the growth required in the plan period;
- ensuring that the identified growth is appropriately distributed in accordance with the Preferred Strategy; and,
- ensuring that the capacity of a settlement to accommodate growth is duly considered.

7.6 It should be noted that any review may also seek to reduce the extent of the existing Development Limits with the potential exclusion of land or sites.

## **8. Principles**

8.1 The following guidelines will be used to ensure continuity and consistency across the plan area. They will guide the review of Development Limits as well as the assessment of the potential siting of new developments (excluding those proposals considered through the site assessment methodology).

### **Defined Urban Form**

8.2 Limits should include built structures within the settlement and those areas of land where development (excluding relevant housing exception sites) is considered appropriate. They should, where appropriate, follow physical features such as walls, hedgerows, streams etc. However in order to facilitate appropriate growth there may be instances where site conditions allow development beyond established urban boundaries.

8.3 They should also reflect the built form as distinct from undeveloped areas or more sporadic, loosely knit or dispersed developments. They should prevent unacceptable encroachments into the countryside and at incongruous locations.

### **Infill and extensions to settlements**

8.4 Make provision for appropriate infill within, logical extensions to, or rounding off of defined settlements.

### **Ribbon Development and Coalescence**

8.5 Seek to minimise ribbon development and the coalescence of settlements or separate parts of a settlement whilst reflecting the traditional built form of many of the County's settlements.

### **Amenity**

8.6 The amenity and character of the settlement should be protected. Proposals should avoid:

- Visually prominent and elevated locations
- Tandem development
- Cramming
- Visually important locations (including glimpses and viewpoints)

### **Open Space**

8.7 Identify and where appropriate protect, important areas of open space and recreation both within and adjacent to the settlement.

8.8 Exclude from the Development Limits except where it is effectively enclosed by the built form of the settlement.

### **Use of Buildings**

8.9 Reflect (where appropriate) the potential for redeveloping redundant rural buildings;

### **Previously Developed Land**

8.10 Acknowledge potential contribution and apply a search sequence in identifying potential areas for inclusion.

### **Nature Conservation**

8.11 Protect and enhance areas of biodiversity and nature conservation value, and where appropriate consider how features and corridors may be accommodated within any settlement;

### **Historic Built Environment**

8.12 Protect and enhance the historic built environment.

### **Physical and Other Constraints**

8.13 Reflect constraints to development including

- Flood risk (which cannot be mitigated against)
- Infrastructural capacity including Foul sewer network issues;
- Mineral buffer zone, etc.

### **Farmyards and Farm Buildings**

8.14 Farmyards and farm building should be excluded from the Development Limits except where they are effectively enclosed by the built form of the settlement.

### **Gardens**

8.15 Gardens on the edge of the built urban form should generally be included within the limits, with the exception of where:

- The character of the area is considered to have more similarity with the open countryside than the built up area.
- The result is limits of an irregular shape and size.
- Their inclusion may encourage development proposals which are contrary to the character and amenity of the settlement.
- Where the garden or grounds of a property extends considerably beyond the built urban form of the settlement they may be partially or completely excluded from the limits.