Objection to Appeal – Land Off Cwmamman Road, SA18 2AF – CAS-04180-Q0M8S3

Dear Inspector,

I write to object to the appeal lodged by Beacon Eco Homes Ltd, on the basis of both procedural failings and a lack of comprehensive consideration of material planning matters during the planning process. I also wish to enhance and expand upon my original objections, as permitted within the statutory time-frame (prior to 30 July 2025), in accordance with guidance from Planning Aid Wales.

[I understand from Max Thomas (25/7/25) and under the aegis of The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 (Reg 9, 23,24, 47, & 50) there is no word count cap].

Errors and Omissions by CCC Planning Department (CCC PD)

The planning officer's report and the resulting decision failed to adequately consider the full breadth of material planning considerations raised during the public consultation. The following are key omissions:

• Failure to assess all relevant material considerations: The refusal relied narrowly on biodiversity and a s106 agreement, ignoring numerous other legitimate material objections raised by residents and stakeholders.

• Invalidation concerns: CCC PD accepted and validated a planning application that included factual inaccuracies, such as incorrect road numbers, which undermines confidence in the robustness of the assessment process.

• Improper conditioning of a s106 Agreement: The s106 agreement appeared to be conditional on the acceptance or rejection of the planning application itself, which is procedurally inappropriate.

• No in situ ecological survey: CCC failed to require or conduct an independent on-site ecological assessment, especially critical given known biodiversity and protected species on or near the site. [158]

Errors and Omissions by Evans Banks (PAC Stage)

Evans Banks, as the agent for the applicant, failed to comply with several legal and policy obligations during the Pre-Application Consultation (PAC) stage:

• No Town Meeting: In breach of the Planning (Wales) Act 2015, no genuine community consultation was carried out, denying local people their legal right to be meaningfully involved in decisions that affect them.

• Failure to produce a Welsh Language Impact Assessment: Contrary to Technical Advice Note (TAN) 20, this was omitted despite the proposed development being in Glanamman, where around 50% of the population are Welsh speakers.

• Incorrect road designation: The planning documents refer to the wrong road number, which calls into question the accuracy and integrity of the submitted plans.

• Ecology report not prepared by an accredited ecologist: The ecological survey lacked credibility, undermining any claims about the site's biodiversity value.

• No demonstration of placemaking principles: As required by Planning Policy Wales (PPW) Edition 11, there was no evidence of placemaking, which is central to sustainable, inclusive, and context-sensitive development. [177]

Response to Refusal by Evans Banks

I write in response to the developer's agent's assertion that reverting the site to agricultural use would lead to a decrease in biodiversity.

It is important to clarify that, in the living memory of local residents, the site has not been used for agriculture. As such, the claim of "reversion" is factually inaccurate and misleading in the context of its recent and historical land use. The site has, in effect, functioned as unmanaged or semi-natural land, supporting a range of habitats which have developed over time.

Furthermore, the community strongly favours the establishment of a community woodland on this land as an alternative to housing development. Such a proposal aligns with national and local objectives to enhance biodiversity, increase access to green space, and support climate resilience. A community woodland would not only protect and improve existing ecological value, but would also offer long-term environmental and social benefits far exceeding those of either agricultural or residential development.

I respectfully ask that the Inspector gives due weight to both the historical context and the community's clearly expressed preference when considering the future of this site. [190]

Reiteration and Enhancement of Material Considerations

I wish to reiterate and expand upon my earlier objections based on the following material planning considerations, all of which remain relevant to the appeal:

1)Due process and natural justice

I object to this appeal on the grounds that the planning process to date has failed to meet the standards of natural justice, in that local residents, stakeholders, and statutory consultees were not properly informed or involved in the early design and decision-making stages of the proposal. This failure contravenes legal and policy requirements relating to fair process, meaningful consultation, and place-making under Welsh legislation and established case law.

Principle of Natural Justice

Natural justice requires that public decisions be made through fair, transparent and participative processes. The two core principles are:

Audi alteram partem – the right to be heard

Nemo judex in causa sua – the right to an unbiased decision-maker

In this case, affected residents and community stakeholders were not given a meaningful opportunity to contribute to the development proposals before submission or appeal, and the consultation that did take place was either absent or procedurally flawed.

Failure of Consultation Obligations under Welsh Law

Planning (Wales) Act 2015

The Act places a statutory emphasis on placemaking and early engagement. Section 2 establishes a plan-led system that promotes sustainable development with community participation at its heart. The absence of any pre-application community consultation violates the Act's objectives and the intention of a collaborative planning system.

The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended)

Schedule 1A of the Order requires pre-application consultation (PAC) for major developments. If the appeal relates to such a development, the lack of a lawful PAC process is procedural non-compliance and should be grounds for dismissal.

Future Wales – The National Plan 2040 and Planning Policy Wales (Edition 11)

PPW emphasises the placemaking approach as fundamental to planning in Wales. Paragraph 2.6 states that early engagement "is essential to achieving inclusive and collaborative planning." Paragraph 3.3 goes further, highlighting that developments which do not reflect local needs or character and which lack community input are inconsistent with national planning goals.

Absence of Placemaking and Local Involvement

No evidence has been provided by the appellant to demonstrate that:

- The proposal was shaped by engagement with the local community
- Local knowledge, needs, or character were considered
- Collaborative design principles were applied

This absence is not just a policy failure, but an ethical one. Placemaking is not an aesthetic add-on—it is a legal and moral requirement that ensures development serves the public interest, not private convenience.

Relevant Case Law

R v North and East Devon Health Authority, ex parte Coughlan [2001] QB 213

This case reinforced the principle that legitimate expectations created by public bodies, such as the expectation of proper consultation, must be honoured. Failure to do so may render decisions unlawful.

R (Plantagenet Alliance Ltd) v Secretary of State for Justice [2014] EWHC 1662 (Admin)
This confirmed that even where there is no express statutory duty, a failure to consult appropriately where there is a legitimate expectation or obvious public interest may breach common law fairness.

R (Greenpeace Ltd) v Secretary of State for Trade and Industry [2007] EWHC 311 (Admin)
The court ruled that consultation must be more than a box-ticking exercise—it must be conducted at a formative stage and with a genuine opportunity to influence outcomes.

Conclusion

The appellant's development proposal is procedurally and ethically flawed due to:

- The failure to carry out lawful and meaningful consultation
- The lack of adherence to placemaking duties under PPW and the Planning (Wales) Act
- A resulting breach of the principles of natural justice

This undermines the integrity of the planning process, prejudices public participation, and should not be remedied by approval at appeal stage. I respectfully request that the Planning Inspectorate dismiss the appeal in the interests of procedural fairness and good planning. [621]

2a)Failure to follow place-making principles (PPW Ed. 11)

2b)Failure to Hold a Town Meeting (Lack of Genuine Community Engagement)

2c)Lack of meaningful consultation and community engagement

The developer failed to hold a public or town meeting as part of the Pre-Application Consultation (PAC). While not explicitly required by statute, this omission runs counter to the clear expectations of Planning Policy Wales (Edition 11) and the Planning (Wales) Act 2015, which emphasise early, meaningful, and inclusive engagement with communities.

PPW Edition 11, Paragraph 3.3 states that:

“Planning authorities must ensure that the public are engaged in the development of plans and decisions which affect them.”

Further, Paragraph 2.8 reinforces that:

“Placemaking in development decisions happens at all levels… and involves considerations down to the local, such as considering the amenity impact on existing residents.”

And under Paragraph 3.34:

“Good design is not inevitable. It requires proactive and collaborative action by all stakeholders… including early and meaningful engagement with the community.”

In this case, a town meeting would have enabled direct dialogue, promoted transparency, and allowed residents to engage with and challenge aspects of the proposal in real time. Its absence reflects a missed opportunity for genuine consultation, undermining both the placemaking principles (PPW Section 2) and the duty to consider the well-being goals set out in the Well-being of Future Generations (Wales) Act 2015.

We did request a town meeting, but Evans Banks told us the client did not want one. This is no excuse as in Wales it is common — and often necessary — for planning or development consultancy firms to organise town-hall or community meetings on behalf of their clients prior to submitting a planning application especially for major developments.

Under the Planning (Wales) Act 2015 and associated guidance, developers of major schemes must demonstrate genuine pre-application community consultation — asking local groups how they wish to be engaged and proactively involving the public from an early stage

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This statutory requirement aims to ensure communities have a voice in shaping significant projects before plans are formally lodged.

Role of planning consultancies

Planning consultants typically:

- Arrange and facilitate community/town-hall meetings,
- Invite residents, local councillors, community councils, statutory consultees,
- Present proposals, explain project rationale, and
- Record feedback and integrate it into any revisions.
- The developer (or their agent) — which can be a private consultant — is responsible for arranging and funding these meetings

We also asked about placemaking but did not receive a response. Julie James MS told RTPI (in Cardiff) that she would call in PAs that did not include placemaking

Given the lack of meaningful engagement with the community and total lack of compliance with the placemaking principles I respectfully urge the Planning Inspectorate to dismiss this appeal and uphold the decision to refuse planning permission.

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3)Scale and density of buildings

Even though the application is only for 30 houses, it is universally accepted that this is just "Phase 1" of the development. Provision has been made (ecology report and marketing) for Phase 2 and the developer has purchased two fields allowing for further phases. If the planning process was more honest and transparent, it would be accepted that the site offers provision for at least 4 times that number of homes. That is a totally unacceptable increase in housing provision for such a small area.

Case law where planners have failed to consider scale and dominance in PA

- Richmond LBC v Secretary of State for the Environment [2000]
- Reid v Secretary of State for Transport, Local Government, and the Regions [2002]
- R. (on the application of Scragg) v. Secretary of State for Communities and Local Government [2010]:

4)Layout and density of buildings

The two houses to the west of the development are within 5 metres of a watercourse although the PAC states there are no houses planned in 20m of a riparian zone/water courses .

In ecological contexts, riparian zones are the interfaces between land and a river or stream. These areas are crucial for maintaining healthy ecosystems because they provide unique habitats for wildlife, help filter pollutants from runoff and stabilize banks to prevent erosion.

Under the aegis of "rivers" they are considered of principal importance for maintaining and enhancing biodiversity in Wales (Environment (Wales) Act 2016 Section 7). Research suggests buffer zones are required to protect riparian ecosystems and provide habitat which reflect stream size and the natural dimensions of the zone. The minimum width either side of the stream channel should be 10m for a stream of 1-2m wide (Forest Research). A broad range of mammals, birds, reptiles and amphibians rely on riparian buffers for habitat. They provide core habitat for many semi-aquatic and terrestrial ecotone species, such as frogs, water voles and otters, and these species require a buffer that is both long and wide. Long stretches of riparian buffer also serve as wildlife travel corridors. Many birds, such as herons as well as some mammals, rely on riparian buffers for both habitat and resting places.

Welsh legislation and policies provide robust measures to control and restrict housing development near watercourses. Flood risk management, environmental protection, and sustainability are the key drivers of these regulations.

- Flood Risk Zones: (TAN 15, PPW, LDPs) restrict development in high flood-risk areas.
- Sustainable Drainage: (SuDS) mandatory water management systems to prevent flooding.
- Environmental Protection: (The Environment Act, WFD, NRW) prevent housing developments that harm watercourses, ecosystems, or water quality.

Case law where planners have failed to consider riparian water courses in PA

- R (on the application of the Wildlife Trusts) v Secretary of State for Environment, Food and Rural Affairs [2004] EWCA Civ 1089
- R (on the application of Fisher) v English Nature [2004] EWHC 190 (Admin)
- Bolton Metropolitan Borough Council v Secretary of State for the Environment [1990] 61 P. & C.R. 343

5)Appearance and design of development and materials proposed.

The development fails to comply with Building Regulations (Wales 2): The updated regulations (2024 Part L) have introduced stringent energy efficiency standards for new buildings, aiming for a significant reduction in carbon emissions.

The materials proposed (concrete tiles) are not carbon neutral and the development of 30 houses will result in a loss of roughly 3600 TC CO2 and a loss of roughly 84.75 T C in carbon stocks. Furthermore, there has been no carbon audit and no indication how the development will contribute to Net Zero Wales (2021)

While there may not be a vast number of established case laws specifically addressing carbon-zero housing in Wales, several decisions have highlighted relevant issues:

- R (on the application of Friends of the Earth) v. Welsh Ministers : [2020] EWHC 2471 (Admin) This case emphasized the need for robust environmental assessments for major developments. It underlined the importance of considering climate impacts in planning decisions.

- Local Planning Decisions : Various local authorities in Wales have faced challenges regarding planning applications for carbon-zero homes, often related to community opposition or concerns about the integration of sustainable features within existing neighbourhoods.

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6)Highway safety concerns, including access and traffic generation

The view from the proposed access road is restricted both when looking eastwards' i.e. up the valley and westwards' looking towards Ammanford. When looking up the valley, the view is often restricted at certain times of the day because of cars parked on the side of the road just upstream' of the Llwyncelyn road entry. When looking down the valley there is both a bend and a dip.

Historically the area either side of to the proposed access road could be described as an accident "black spot" with 15 accidents and many near misses. Very recently there was an accident close to the proposed development site which could have resulted in a fatality.

Cars coming from the Ammanford have sometimes lost control when negotiating the bend 100m or so from the access road and crashed through boundary fences at least 15 times. Some have resulted in insurance claims and the police have sometimes been involved.

Anecdotally and historically on one occasion, a car coming up from Ammanford crashed through a fence, and a boundary wall and killed a pet goat that was grazing in the front lawn. It could have been much worse because four children aged around 7/8 had been playing with the goat minutes before the car crashed through.

The issue became so much of a problem that County Council made significant adjustments to the road at that bend.

The access road is only 30m away from Llwyncelyn Road and t here have been many near misses with cars egressing out of the Llwyncelyn road junction with cars coming down and up the valley, this is because of the restricted vision caused by the bend in the road, cars parked on the roadside, and vans parked at the junction.

Cwmamman road is much busier today and would be considerably busier and more dangerous if around 50 plus additional cars plus 13,200 delivery vans (a year) use the new access road!

Seemingly Highways failed to discuss highway safety with local residents or the police before submitting their report.

Case law where planners have failed to address highway safety adequately

- Palmer v Herefordshire Council [2016]
- Jones v Secretary of State for Transport and Gloucestershire County Council [2014]

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7)Drainage and flood risk

From 7th January 2019, all new developments of more than 1 dwelling house or where the construction area is 100 square meters or more, require sustainable drainage systems (SuDS) for surface water. The SuDS must be designed and built in accordance with Statutory SuDS Standards) published by the Welsh Ministers and SuDS Schemes must be approved by the local authority acting in its SuDS Approving Body (SAB) role, before construction work begins. It is important to note that construction work which has drainage implications must not be commenced unless the drainage system for the work has been approved by the SAB. SuDS are intended to maximise the opportunities and benefits that can be provided by the effective management of surface water. This can only be achieved when the principles of SuDS are considered fundamental to the design practice right from the start of the development process, at the conceptual stage. Despite the head of planning (Hugh Towns) being made aware of this issue, he has failed to take any action to rectify the problem. The PA should therefore be rejected for this reason.

Case law where planners have failed to address drainage and SUDS issues

- R (on the application of U and Partners (East Anglia) Ltd) v Broads Authority (2011)
- Lambeth LBC v Secretary of State for Housing, Communities and Local Government (2019)

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8)Impact on character (sense of place) or appearance of area

I write to object in the strongest terms to this appeal and to urge the Inspector to reject it outright, on the grounds that the proposed development fails to consider or respect the site's sense of place — a key principle embedded in both Welsh legislation and planning policy.

The Well-being of Future Generations (Wales) Act 2015 places a legal duty on decision-makers to promote cultural well-being, community cohesion, and the identity of place. These are not optional or secondary considerations — they are statutory obligations. The appellant has provided no evidence that these duties have been taken into account.

Furthermore, Planning Policy Wales (Edition 12) is explicit in stating that all development must "promote a sense of place to ensure that development contributes to the distinctiveness and character of the area." The appeal documentation fails completely to assess how the proposed development would integrate with or support the local identity, landscape character, or community values. This is a glaring omission.

This failure is not just poor planning — it renders the proposal incompatible with national policy. It also contravenes established legal precedent. In R (Hughes) v South Lakeland District Council [2019], the High Court confirmed that planning decisions must give weight to the intangible qualities of place — including social and emotional attachments formed by local communities. This principle is particularly relevant here, where local people have strong, longstanding connections to the site as an open, natural area that contributes meaningfully to local identity and well-being.

Given this context, the proposal cannot be justified. It not only undermines the statutory duty to protect and enhance the sense of place, but also disregards clear legal precedent and planning policy. As such, this appeal should be rejected in full.

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9)Impacts on local biodiversity, protected species (including badgers), and trees

I object to the above appeal on the grounds that the development proposal fails to give adequate consideration to the protection and enhancement of legally and ecologically important habitats within and adjacent to the site, including rhos pasture, riparian corridors, hedgerows, and trees.

These features support high levels of biodiversity, contribute to ecological connectivity and climate resilience, and are afforded specific protection under Welsh law and policy.

Relevant Legislation and Policy (Wales)

Environment (Wales) Act 2016

Section 6 places a duty on all public authorities to "seek to maintain and enhance biodiversity" and to promote ecosystem resilience when carrying out their functions. This is known as the Biodiversity and Resilience of Ecosystems Duty (BRED). No evidence has been presented that the proposal supports this statutory duty.

Planning Policy Wales (PPW), Edition 11 (2021)

PPW outlines the sustainable management of natural resources (SMNR) as a core principle. Paragraph 6.4.21 states that development should not cause harm to locally or nationally important nature conservation sites or features, and that priority habitats and ecological networks must be protected and enhanced.

Technical Advice Note (TAN) 5: Nature Conservation and Planning

TAN 5 requires developers to identify ecological features early in the planning process and take all reasonable steps to avoid or mitigate impacts. It states clearly that a lack of ecological information is grounds for refusal.

Section 7 of the Environment (Wales) Act 2016

This identifies habitats of principal importance for biodiversity in Wales. Rhos pasture and species-rich hedgerows are explicitly listed as Section 7 habitats, meaning they must be protected from avoidable harm.

Hedgerows Regulations 1997 (as applied in Wales)

Many hedgerows within the site appear to qualify as "important" under these regulations due to their age, species diversity, and landscape context. The removal or degradation of these hedgerows has not been properly justified or assessed.

Site-Specific Habitat Concerns

Rhos Pasture

Rhos pasture is a wet grassland habitat supporting species of principal importance such as the marsh fritillary butterfly (Euphydryas aurinia), which is also protected under the Conservation of Habitats and Species Regulations 2017 (as amended). The

proposal provides an inadequate habitat survey and no mitigation strategy for this loss, nor any attempt to meet the Section 6 duty.

Riparian Corridors

The site lies adjacent to two watercourses, forming riparian zones essential for bats, otters (Lutra lutra), and aquatic invertebrates. The appeal fails to demonstrate how water quality, connectivity, or disturbance will be avoided, mitigated or compensated.

Hedgerows and Trees

The development threatens the removal or degradation of several hedgerows that function as wildlife corridors. PPW and TAN 5 recognise the value of linear habitats for species dispersal and resilience. No arboricultural impact assessment or species survey (e.g., for dormice or nesting birds) has been submitted.

Legal Precedent and Best Practice

R (on the application of Simon Woolley) v Cheshire East Borough Council [2009] EWHC 1227 (Admin)

This case confirms that a failure to carry out appropriate ecological assessment prior to determining a planning application is unlawful, particularly where European Protected Species may be affected.

Case study – Blaenau Gwent Appeal Ref APP/X6910/A/21/3282574 (2022)

An appeal was dismissed due to lack of evidence regarding impacts on priority habitats and insufficient information to demonstrate compliance with the Section 6 duty under the Environment (Wales) Act.

Conclusion

The development would result in significant and unjustified harm to protected habitats and species and does not demonstrate how it would maintain or enhance biodiversity, as required under Welsh law. The precautionary principle has not been followed, and no ecological baseline data has been presented.

I respectfully urge the Planning Inspectorate to dismiss this appeal and uphold the decision to refuse planning permission.

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10)Impact on the community and other services

Glanamman only has one small convenience store. There are no large retail outlets, unless you travel to Ammanford. The Dentist and GP surgery are oversubscribed and there are no leisure facilities nearby and the local infrastructure is not able to cope with an influx of housing on this scale. Having recently been required to pay for the upgrading of my electricity supply, due to its lack of capacity, I am only too aware how poor the local infrastructure is. Broadband services are particularly poor and an increase in community size is only going to exacerbate this problem. There is not an "appropriate number" of homes being suggested for this site. Although 22 dwellings are currently being requested, it is very clear that the site has capacity for at least 100. That would be a massive burden on the local infrastructure and facilities. The access road is not suitable for such volumes of traffic and there are already huge issues with water supply and drainage which cannot be addressed.

Case law where planners failed to adequately consider the implications for community services

- R (on the application of Dwyer) v. Secretary of State for Communities and Local Government (2011)
- R (on the application of Newsmith Stainless Ltd) v. Secretary of State for Communities and Local Government (2011)
- R (on the application of Save Our Schools) v. London Borough of Lambeth (2020)
- Bovis Homes Ltd v. Secretary of State for Communities and Local Government (2014)
- Westminster City Council v. (1) Ealing London Borough Council (2) Secretary of State for Communities and Local Government (2015)

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11)Lack of affordable and social housing

I object to this appeal on the grounds that the proposed development fails to provide an appropriate quantum or proportion of social and affordable housing, contrary to statutory requirements, national policy, and established legal principles. The appeal

scheme does not meet the pressing housing needs of the local area, undermining the purpose of sustainable development and social equity.

Statutory and Policy Framework in Wales

Planning (Wales) Act 2015

The Act defines sustainable development as the central purpose of the planning system in Wales (Section 2). This includes promoting social well-being and tackling inequality through the delivery of homes that meet local need, including social and affordable housing.

Well-being of Future Generations (Wales) Act 2015

This imposes a duty on public bodies to improve the economic, social, environmental and cultural well-being of Wales. Failing to provide social housing undermines the “A more equal Wales” and “A Wales of cohesive communities” goals set out in the Act’s Well-being Goals.

Planning Policy Wales (Edition 11, 2021)

- Paragraph 4.2.25: Planning authorities must ensure that new housing developments contribute to the creation of sustainable places and cohesive communities by delivering affordable housing in line with local need.
- Paragraph 4.2.34: Affordable housing provision is a key policy priority, and proposals must reflect local housing strategies and need.
- Paragraph 5.5.4: New development must address the well-being of communities and promote inclusivity. Failure to deliver affordable homes may be grounds for refusing permission.

Deficiency in Affordable and Social Housing Provision

- The scheme does not propose adequate social housing
- No credible viability assessment has been provided to justify the shortfall.
- No registered social landlord (RSL) involvement has been confirmed.
- The scheme does not reflect local housing market assessments or waiting list data

This is especially concerning given the severe shortage of social housing in [insert local authority] and rising levels of housing insecurity across Wales.

Relevant Case Law

a) Tesco Stores Ltd v Dundee City Council [2012] UKSC 13

The Supreme Court confirmed that development plans are central to decision-making and must be interpreted in line with their policy intent. A failure to comply with affordable housing policies is a material reason for refusal.

b) R (West Berkshire DC and Reading BC) v Secretary of State for Communities and Local Government [2016] EWCA Civ 441

The Court of Appeal held that exceptions to affordable housing requirements must be clearly justified by evidence such as site viability. Unsupported departures from affordable housing policy are unlawful.

c) R (Holborn Studios Ltd) v London Borough of Hackney [2017] EWHC 2823 (Admin)

This confirmed that planning decisions that ignore key policy aims (such as community benefit and affordability) may be quashed for irrationality or failure to take relevant considerations into account.

Conclusion

The appellant has failed to provide adequate levels of affordable and social housing and has not justified this deficiency with credible evidence. This is:

- Contrary to Planning Policy Wales (PPW) and the Planning (Wales) Act 2015
- A breach of the Well-being of Future Generations (Wales) Act 2015
- A failure to comply with the adopted Local Development Plan
- Inconsistent with binding principles in UK case law

In light of the significant and unmet need for social housing in the area, and the statutory duties to promote equality and cohesive communities, we respectfully urge the Planning Inspectorate to dismiss this appeal.

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12)No assessment of Welsh language or cultural impact

The appeal should be rejected because the planners have failed to mitigate the negative impact of housing development on the Welsh language in Glanamman

When considering housing development in Wales, the impact on Welsh language and cultural heritage is a significant concern, particularly in areas where the Welsh language

is a vibrant part of community life. This intersection involves both the preservation of the Welsh language and the protection of cultural landmarks and traditions that define Welsh identity.

Wales has a strong legal framework aimed at protecting both the Welsh language and its cultural heritage. Housing developments must comply with these regulations to ensure they do not negatively affect these critical aspects

Developers and planners employ several strategies to mitigate the potential negative impacts of housing developments on Welsh language and cultural heritage. These include language impact assessments, affordable housing for local residents, cultural and linguistic promotion and architectural sensitivity

Involving the local community in the planning process is essential for understanding the specific cultural and linguistic needs of an area. Developers should engage with residents to gather feedback on how the development could affect their sense of place and cultural identity. This could involve:

- Workshops with local Welsh speakers and cultural leaders to discuss concerns and opportunities.
- Public Consultations to ensure the community has a voice in shaping how the development fits into the cultural landscape.
- Partnerships with local councils and heritage organisations to ensure that both the Welsh language and cultural sites are protected.

Evans Banks refused to conduct a Welsh Language impact assessment and failed to recognise that Glanamman has nearly 50% of Welsh speakers (2011 census) which is higher than the Carmarthenshire average of 39% and way above the Wales average of 17%

Case law where planners have failed to mitigate the negative impacts of housing developments on Welsh language

- R (on the application of Cymdeithas yr laith Gymraeg) v. Welsh Ministers (2020)
- Brecon Beacons National Park Authority v. Wright (2019)
- Case Law: Gwynedd Council v. W. Jones (2017)

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13)Proposals in the Local Development Plan

I object to this appeal on the basis that the proposed development is located outside the defined development limits (settlement boundaries) established by the Revised Local Development Plan (LDP) for Carmarthenshire County Council (2023–2033), and is therefore contrary to adopted planning policy and the principles of sustainable development in Wales.

Local Development Plan Policy Context

The Carmarthenshire Revised LDP (2023–2033) is the statutory development plan and forms the basis for decision-making in the county, as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004. The LDP provides a clear spatial strategy by designating defined settlement boundaries to control and direct growth.

The proposed development lies outside the development limits of Glanamman, as shown on the LDP Proposals Map. It is therefore:

• Contrary to Policy SD2 – Settlement Framework and Development Limits, which restricts development outside defined settlements to certain limited exceptions (e.g. rural enterprise dwellings or small-scale rural exception housing), none of which apply here.

• Inconsistent with Policy H1 – Housing within Defined Settlements, which supports residential development only within settlement boundaries unless specific rural policy criteria are met.

No compelling justification has been presented by the appellant to override these policies or to demonstrate material considerations that outweigh the development plan.

Conflict with National Planning Policy

The appeal scheme also conflicts with national planning principles set out in:

Planning Policy Wales (PPW), Edition 11 (2021)

• Paragraph 3.60 confirms that development in the countryside should be strictly controlled.

• Paragraph 3.39 reaffirms that planning decisions must be plan-led, and proposals inconsistent with the LDP should be refused unless material considerations indicate otherwise.

• Paragraph 2.8 highlights that LDPs provide the legal and policy framework for where development should and should not take place.

Future Wales – The National Plan 2040

Policy 1 supports a strategic approach to sustainable growth. Allowing speculative development outside defined settlements undermines this approach and sets a dangerous precedent for incremental, unplanned rural expansion.

Material Considerations Not Sufficient to Override LDP

The appellant has failed to demonstrate that:

- The site qualifies as a rural exception or meets any of the narrowly defined criteria for development in the open countryside.
- There is a proven housing land supply shortfall of a scale that would justify releasing land outside the LDP framework (Carmarthenshire's housing land supply has been addressed through the LDP allocations and windfall policy).
- The proposal delivers an overriding public or community benefit that justifies a departure from the development plan.

Legal and Appeal Precedent

The legal duty to determine planning appeals in accordance with the development plan is well established in law:

a) Section 38(6) of the Planning and Compulsory Purchase Act 2004

"Where in making any determination under the planning Acts… regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise."

b) City of Edinburgh Council v Secretary of State for Scotland [1997] 1 WLR 1447

The House of Lords confirmed that development must accord with the development plan unless material considerations clearly outweigh it.

c) Appeal Ref: APP/M6825/A/20/3250905 (Ceredigion)

An appeal was dismissed for housing outside settlement boundaries in a rural Welsh authority. The Inspector noted that "national policy and LDP policies establish a strong presumption against development in the countryside without a compelling justification."

Conclusion

The proposed development lies outside the defined settlement limits of the Revised Carmarthenshire LDP and does not meet any of the criteria for rural exceptions. It is contrary to:

- Policies SD2 and H1 of the Revised Carmarthenshire LDP
- Planning Policy Wales (Edition 11)
- Future Wales – The National Plan 2040

Allowing this appeal would undermine the plan-led system and the principles of sustainable, place-based growth in Carmarthenshire.

I respectfully request that the Planning Inspectorate dismiss the appeal in accordance with the adopted LDP and in support of sound planning practice.

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14)Previous planning decisions (including appeal decisions)

I object to this appeal on the grounds that previous planning and appeal decisions for this site—or for similar proposals in the local area—have consistently identified material planning harms that remain unresolved and relevant. The current appeal does not provide any new or substantive evidence to justify overturning those earlier findings.

Inconsistent with Previous Refusals

The planning history for this site shows that earlier applications were refused for valid reasons, including (list key reasons if known—e.g., drainage, biodiversity, harm to character, loss of amenity, traffic impact). These reasons remain materially relevant, and the current proposal fails to address them adequately.

Previous Appeal Decisions Support Refusal

A previous appeal for the same or a similar scheme was dismissed by the Planning Inspectorate

Lack of Meaningful Change

The appellant has not demonstrated that there has been a material change in policy, context, or circumstances that would justify a different conclusion now. The development remains contrary to the local development plan and fails to overcome the planning objections identified in previous decisions.

Precedent and Consistency in Decision-Making

Granting this appeal would undermine the principle of consistency in planning decisions, particularly where there is a well-documented history of refusal and dismissed appeals. It would set a precedent for approving developments that have already been judged unsuitable.

Conclusion

In light of these previous decisions—both by the local planning authority and the Planning Inspectorate—I respectfully request that this appeal be dismissed to maintain the integrity and consistency of the planning process and to uphold the protections previously deemed necessary.

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15)No demonstrated climate resilience or sustainability credentials

The developer/agent has failed to provide any form of carbon auditing or assessment in relation to the proposed development. In the context of binding national and local climate obligations, the absence of a quantifiable evaluation of the development's carbon impact constitutes a material deficiency in the application.

Specifically, the application does not include any calculation or estimate of the embodied carbon associated with the construction process, nor does it account for the anticipated operational emissions of the proposed dwellings over their projected lifecycle. It is widely accepted that the average new-build home in the UK results in approximately 50–80 tonnes of embodied carbon emissions prior to occupation, with further annual emissions generated through energy consumption, transport reliance, and associated infrastructure use.

This omission is of particular concern given the statutory duties arising under the following frameworks:

- The Environment (Wales) Act 2016, which places a legal duty on public bodies to take action to reduce emissions and promote sustainable development;
- The Well-being of Future Generations (Wales) Act 2015, which requires decision-makers to take a long-term view and act in ways that contribute to a low-carbon society;
- The UK Climate Change Act 2008, as amended by the Climate Change Act 2008 (2050 Target Amendment) Order 2019, which commits the UK to achieving net zero greenhouse gas emissions by 2050;
- Local Development Plan (LDP) policies that require consideration of environmental impact and climate resilience in land-use decisions.

Given these statutory and policy contexts, it is submitted that any proposal involving new residential construction should be accompanied by a clear and measurable carbon assessment, disclosing:

1. Total embodied carbon per unit (including materials, transport, and construction);

2. Estimated operational emissions per dwelling;

3. Mitigation strategies to reduce or offset carbon emissions throughout the lifecycle of the development.

Without such information, the local planning authority is not in a position to discharge its duties under the above legislation and cannot reasonably conclude that the development aligns with national and local climate objectives.

Accordingly, I respectfully submit that the appeal should be refused or, at minimum, deferred pending the submission of a full carbon audit and sustainability assessment, in line with current best practice and statutory obligations

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16)Inadequate Consideration of Legal Protections for Badgers

I wish to raise serious concerns regarding the apparent lack of adequate regard for the presence of badgers and their legal protection in relation to the proposed development.

Badgers and their setts are protected under the Protection of Badgers Act 1992, which applies fully in Wales. This legislation makes it an offence to interfere with a badger sett, including actions that cause disturbance or obstruction as a result of nearby construction or land development. Any such activities require a license from Natural Resources Wales, supported by a detailed ecological assessment demonstrating that harm will be avoided or appropriately mitigated.

To date, there is no clear evidence that the necessary ecological surveys have been conducted in accordance with statutory guidance, nor that any license application has been submitted or granted. Proceeding without such safeguards would represent a clear breach of legal obligations.

Relevant case law — including R (on the application of Langton) v Secretary of State for Environment, Food and Rural Affairs [2022] — underscores the importance of fully considering the impact of development on protected species at the planning stage. A failure to do so may render any planning consent procedurally and legally flawed.

I respectfully urge the Inspector to ensure that full compliance with badger protection legislation is demonstrated prior to any determination of this application. The

precautionary principle and the duty to uphold wildlife legislation in Wales must be fully observed.

Yours Sincerely

Dr Dan Meir

Glanamman