Emma Evans

From: No Reply - Pembrokeshire County Council
Sent: 06 December 2024 16:53
To: LDP - For Enquiries
Subject: LDP consultation

Follow Up Flag: Follow up
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Categories: D Rep

Pembrokeshire County Council Local Development Plan 2 Deposit 2

DATE 06/12/2024
TIME 4:53:25 PM

Question	Answer
Name:	C/O Agent
Job Title:	C/O Agent
Organisation:	Day's Property Holdings Limited
Address:	C/O Agent
Telephone Number:	C/O Agent

Question	Answer
Name:	Matthew Gray
Job Title:	Associate
Organisation:	Montagu Evans LLP
Address: Telephone Number: Main Contact Email Address:	[redacted]
Date:	06/12/2024
Your name / organisation:	Matthew Gray on behalf of Day's Property Holdings Limited
Before you set out your comments in detail, it would be helpful to know whether you think the Plan is sound and meets the procedural requirements.:	I think the LDP is unsound and should be changed
Which part of the Plan (or supporting documents) are you	LDP 2 Deposit 2 plan text, LDP 2 Deposit 2 proposal map

Question	Answer
commenting on? Please tick all that apply or use the text box to specify:	
Other (Please specify):	
Policies:	SP 14,Haverfordwest Settlement Boundary
References:	S/EMP/040/00001,N/A
Selected Features:	AllocationType:Strategic Employment,UseClasses:B1,AreaHa:20.75,StrategicEmploymentClusterReference:S/EMP/040/C1,Policy:SP 14,Site_Name:Withybush cluster (West Estate),LDP2_Reference:S/EMP/040/00001 Comments:See Cover Letter
Selected Features:	Manually entered Comments:See Cover Letter
Would you like the LDP to include a new policy, site allocation or paragraph?:	New paragraph or supporting text
Site reference (if known)::	N/A
Name::	N/A
Location::	N/A

Question	Answer
Justification on inclusion of alternative site allocation, policy or paragraph:	See Cover Letter
Are you submitting additional material to support your representation?:	Yes
Supporting document 3 (5mb limit):	
If you are objecting to the LDP, do you want to speak at a hearing session of the public examination?:	I do not want to speak at a public hearing and am happy for my written representations to be considered by the Inspector
If you want to participate in a hearing, indicate below what you want to speak about (e.g. Housing site at Pen y Graig or The overall housing target).:	
If you wish to speak, it would be helpful if you could indicate in which language you would like to be heard.:	

NOTES
This form was created on a computer and is valid without the signature and seal.

70 St Mary Axe
London
EC3A 8BE
Tel: +44 (0) 20 7493 4002

Our Ref – PD13953

[redacted]

The Development Plans Team,
Pembrokeshire County Council,
County Hall,
Freeman's Way,
Haverfordwest,
Pembrokeshire,
SA61 1TP

6 December 2024

Dear Sir/Madam,

LOCAL DEVELOPMENT PLAN REVIEW (LDP2) – PUBLIC CONSULTATION
REPRESENTATIONS SUBMITTED ON BEHALF OF DAY'S PROPERTY HOLDINGS LIMITED
DAYS GARAGE AND ASSOCIATED LAND, FISHGUARD ROAD, HAVERFORDWEST, SA62 4BT

INTRODUCTION

We write on behalf of our client Day's Property Holdings Limited ("Day's" / "the Client"), to submit formal representations in relation to the Council's Local Development Plan Review (LDP2) public consultation.

Day's hold significant land interests throughout south Wales and England. The company in excess of 600 people within Wales and approximately 35 people within Pembrokeshire.

These representations specifically relate to their operation at Fishguard Road, Haverfordwest, SA62 4BT. Development on Site comprises a vehicle sales building, a linked maintenance facility and extensive hardstanding. Planning Permission (LPA Ref. 23/0646/PA) approved on 28 May 2024 allowed for the erection of EV charging hub and linked drive thru coffee shop at Site. A Site Location Plan is provided below and at **Appendix 1.0**.

Figure 1 – Day's Ownership Plan

Despite its built-up nature, positive planning history, and significant levels of approved/planned development in its immediate vicinity, the Site sits outside of the Settlement Boundary via LDP1 and the Deposit version of LDP2. Further information relating to the Site's planning context is set out below.

The Site sits at the northern gateway to Haverfordwest benefitting from a frontage onto the A40, Withybush Road and the Withybush Roundabout. It is therefore a prime and prominent business location benefiting from a range of existing / approved commercial uses.

Day's welcome the opportunity to comment on the Deposit Local Plan Review (LDP2), particularly in respect of the specifics of the Settlement Boundary in respect of the Site and it's intended allocation for B2 / B8 purposes.

SITE AND SURROUNDING AREA

The Site comprises the Day's landholding at the A40 / Withybush Road, Haverfordwest. It consists of an existing vehicle dealership, separate maintenance building, hardstanding and landscaping.

Planning Permission was approved in May 2024 allowing for additional development at the Site in the form of an EV charging facility and linked drive thru coffee shop.

Despite its brownfield and prominent nature, the Day's land is beyond the Settlement Boundary. It is one of several commercial uses in proximity to the Withybush roundabout and is located opposite Ysgol Caer Elen. It is bounded by development / highway in all directions and does not benefit from the typical characteristics that would be expected of land beyond the Settlement Boundary.

The Site benefits from exceptional transportation links. It is strategically located to access a wide highway network including the A40, A487 and A4076. The nearest bus stops are situated Fishguard Road, opposite Withybush Retail Park from which the 313 and T5 services run from the stops at regular intervals. Haverfordwest Railway Station is the nearest station, situated less 1.8 Km to the south.

Following a review of National Resources Wales (NRW) Development Advice Map (DAM), the Site is located outside of an area liable to flooding for the purposes of achieving a planning permission.

The Site is not within a Conservation Area or subject of any statutory listings. Historic Wales' Environment Records reveals it is not located in close proximity to Heritage Assets.

Surrounding uses are generally commercial in nature. A Premier Inn Hotel and Marsdens Pub are located to the Southwest. Both uses, located outside of the settlement boundary, were permitted in 2013 (LPA Ref. 12/1112/PA). To the north, beyond the highway is Withybush Business Park and surrounding land which benefit from allocations for Class B development within the existing Local Development Plan. Ysgol Caer Elen is located to the immediate east.

PLANNING HISTORY

Relevant Planning History for the Site is set out below:

Application No.	Description of Development	Decision	Date
06/0648/PA	Extend existing car park	Conditionally Approved	09/10/2006
08/0715/PA	Alterations to the dealership building to create additional internal showroom floorspace under the existing roof structure, partially reclad the existing building and form new shop fronts, construct separate workshop building and resurface site hardstanding	Conditionally Approved	12/11/2008
09/0839/PA	Alterations to existing dealership to create additional showroom floor space, internal alterations, partially reclad existing building and form new shop fronts with vehicle and pedestrian access, new workshop building constructed for vehicle repairs and MOT.	Conditionally Approved	18/02/2010
17/0150/PA	Erection of sales pavillion and extension to workshop to provide valeting.	Conditionally Approved	14/06/2017
18/1034/PA	Construction of a 7.3m wide access road with 2m wide footpaths, lighting and attenuation pond	Conditionally Approved	14/02/2019
19/0570/PA	Construction of 7.3m wide access roads into sites B and C with 3m wide footpaths, lighting and attenuation ponds. Re-grading of existing landform on site B to create two level plateau areas for future development	Conditionally Approved	12/11/2019
23/0646/PA	Erection of an EV charging station, drive thru coffee shop (Class A1/A3).	Conditionally Approved	28/05/2024

To the north of the Day's landholding, Planning Permissions LPA Ref. 18/1034/PA and 19/0570/PA allowed for the development of highway infrastructure to serve planned employment generating uses to the north and northeast of the Site of significant scale.

PLANNING CONTEXT

Designations

Existing Development Plan - LDP 1

The statutory Development Plan for the Site consists of the Pembrokeshire LDP which comprises the principal document against which applications are currently assessed. The Plan was adopted by the Council in May 2013.

The Site comprises land outside of the Settlement Boundary which is not allocated for any specific purpose as identified on the below extract from the Adopted Proposals Map:

Figure 1 – Proposals Map Extract.

Linked to its location beyond the Settlement Boundary, the Site is classified as being in a Countryside location. Accordingly, any proposals seeking to facilitate development on it are subject to consideration against Policy SP16 (The Countryside) which states:

> *"The essential requirements of people who live and work in the countryside will be met whilst protecting the landscape and natural and built environment of Pembrokeshire and adjoining areas. Development which minimises visual impact on the landscape and relates to one of the following will be promoted:*
>
> 1. *Enterprises for which a countryside location is essential; and*
> 2. *Opportunities for rural enterprise workers to be housed in suitable accommodation that supports their employment; and 3. The re-use of appropriate existing buildings."*

Forthcoming Development Plan – Deposit Version LDP 2

The Deposit version of the forthcoming version of LDP2 is currently being consulted on by the Council. These representations have been prepared in respect of the September 2024 version.

The Council's introductory text in respect of the review of the Development Plan states:

> *"The second Deposit Local Development Plan 2 (the Plan) identifies a need for 5,840 new homes between 2017 and 2033 (365 a year) including 2,000 affordable homes.*
>
> *Residents are advised to look at the Plan text and maps to view proposals in their area. The Plan proposes revised town and village boundaries (known as settlement boundaries) and a range of sites are allocated (identified) for different land uses, including 54 sites for housing."*

Policy 12 (The Settlement Hierarchy) identifies Haverfordwest as a Hub Town. Policy SP 14 (Hub Towns) indicates that development will be encouraged that provides opportunities for new commercial and retail facilities.

Below are extracts from the Proposals Map linked to the Deposit version of LDP2:

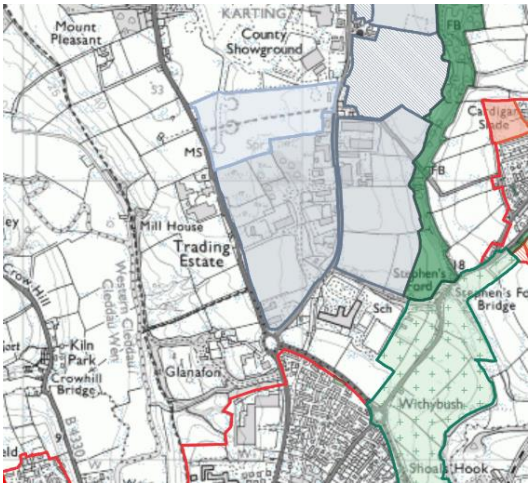


Figure 2 – LDP 2 Proposals Map Extract (Context view)

Figure 3 – LDP Proposals Map Extract (Close view)

The Deposit Plan shows a shift in respect of the Policy designation of the Site in so far as it is included in a wider allocation via Policy SP 14 (Employment Provision). The specifics of the allocation are set out below:

- Allocation Reference S/EMP/040/00004
- Strategic Employment Cluster Reference S/EMP/040/C1
- Site Name Withybush cluster (Trading Estate)
- Site Area 16.95 ha
- Intended Uses B1/B2/B8

Notwithstanding the intended allocation of the Site for Class B purposes, it is notable that the Settlement Boundary, indicated by the red line on the above extracts has not been altered from the current Local Development Plan. The Site will therefore remain, in effect, within a Countryside location albeit benefiting from an allocation for B2 / B8 uses.

PLANNING CONTEXT

Days Property Holdings Limited welcome the intended inclusion of the Site within wider allocation Reference S/EMP/040/00004 as part of the Withybush cluster.

They are aware of significant market interest in Class B units and approached the Council in 2022 (LPA Ref.PR/0007/22) in respect of pre application discussions regarding the use of an element of their landholding for such purposes. Feedback from Officers was that the proposal would not be supported owing to the location of the Site outside of the Settlement Boundary and thus in a Countryside location.

Images of the intended layout as proposed via pre application discussions are provided below:

Figure 4 – 2022 Pre-Application submission layout

Figure 5 – 2022 Pre-App - GCI Image

Extracts from the pre application feedback are provided below:

> *"Whilst you have provided some basic information in terms of the design of the units (6 metres high and of modern design) I do not make any observations in this regard, given that the principle of developing this site for B2 and B8 is unacceptable.*
>
> *In terms of the proposal being acceptable in a countryside location, any application would need to provide robust evidence that there are no alternative sites available. It is noted that the site is located near to the Withybush Industrial estates and in close proximity to land allocated by the Local Development Plan as Strategic Employment Land and Employment Allocation land, namely S/EMP/040/00001 to the north and EMP/040/00004 to the north east. Whilst the site located to the north (S/EMP/040/00001) is allocated for B1 use development, the land allocated to employment use to the north east (EMP/040/00004) is specifically allocated for B1, B2 and B8 uses. I consider therefore that any planning application would need to demonstrate why the proposal could not be accommodated within this land.*

It is considered that the proposal is unacceptable."

The intended inclusion of the Site within the forthcoming allocation is seen as a positive. Day's remain keen to develop land within their ownership largely for the purposes as set out in the 2022 pre application submission.

Notwithstanding the above, interest has also been expressed by operators commonly found in industrial / employment locations throughout the UK falling within a Sui Generis use class.

It is therefore considered that the forthcoming allocation, while primarily focussing on Class B2 / B8 uses should also reference appropriate Sui Generis uses typically found in "employment" areas in order to avoid unnecessary delays in the determination of applications seeking the positive asset management of Day's landholding. The approval of an EV charging hub at the Site (Sui Generis use) as part of a wider development serves as an example of such an appropriate use.

Settlement Boundary

The location outside of the Settlement Boundary in the Deposit version of the forthcoming Local Development Plan is of concern to Day's in respect of the soundness of the forthcoming Plan and the management of their asset. Accordingly, they respectfully request that the Council reconsider the Settlement Boundary limits as set out in the Proposals Map attached to the Deposit version of LDP2.

The following observations are made in this regard:

- The Site does not benefit from any of the characteristics one would usually associate with a Countryside location. It is built up, urban in nature and has 2no large structures beyond 1 storey in height on it.
- Recent Planning Permission LPA Ref. 23/0646/PA (May 2024) will further change the characteristics of it allowing for an EV charging hub and drive thru coffee shop.
- A pedestrian footpath links the Site to the Settlement of Haverfordwest. It is not detached from the Settlement in respect of access on foot or via vehicle. Access to it is not reliant solely on private vehicle nor is access to it outside of a private vehicle arduous.
- Given the proximity of the Site to the Settlement of Haverfordwest and the pedestrian linkages, it is clearly well related to the Settlement of Haverfordwest and not detached from it in a physical sense.
- The Site cannot be realistically described as rural in nature. It is commercial in nature and benefits from a range of uses via existing and permitted development.
- The Site is not isolated in nature. Ysgol Caer Elen, a development of significant scale is located to the immediate east of the majority of the Site. Numerous existing industrial uses are located further north providing an urban environment to the north. To the west, and served directly from the Withybush roundabout, is a motel and public house.
- Large scale strategic development is allocated to the north of the Site via Allocations S/EMP/040/00001 and EMP/040/00004 to the northeast for employment purposes. The realisation of the allocations will further alter the characteristics of the Site and in additional land beyond the Settlement Boundary.
- Given the scale of the allocations to the north, in addition to existing and permitted development on the Site, it is not a realistic position to argue that the Site is separated from the Settlement of Haverfordwest in a visual sense. If approaching the Site from either the north or south, there is no physical break in development or green land that justifies the continuing classification of the Site within the Countryside. This position will be further amplified via the realisation of allocations to it's north and northeast.

The purpose of Policy CS16 (Countryside) is to cater for *"The essential requirements of people who live and work in the countryside"* whilst *"protecting the landscape and natural and built environment of Pembrokeshire and adjoining areas".*

In the context of existing / approved development at the Site and immediate vicinity, in addition to Strategic allocations in its vicinity, the Site no longer comprises a reasonable fit with the purpose, aims and aspirations of the Policy which is acknowledged as of vital importance in the wider context of land genuinely fitting the criteria of Countryside locations within the Council's boundaries.

The existing development on the Site, nor that of surrounding development in the form of a school and industrial uses are not enterprises for which *"a countryside location is essential".* The continued inclusion of the Site and surrounding areas within a Countryside location is to dimmish the effect of the Policy in more appropriate locations within Pembrokeshire.

The May 2024 Officer Report to Committee linked to Planning Permission LPA Ref. 23/0646/PA provided the following comments regarding the Site and its policy status:

> Para 6.6 – *"Officers consider that the proposed development may reasonably be regarded as complying with this aspect of Policy SP 14 given* ***its location outside, but well related, to the defined Settlement Boundary****." (our emphasis)*
>
> Para 6.7 – *"It could not be held that the existing use of the site is inappropriate for the locality, its use for car parking is ancillary to the existing Days garage business which is* ***located within an area that is characterised by large scale community, commercial and employment uses, albeit all falling outside the defined Settlement Boundary****." (our emphasis)*
>
> Para 6.22 – *"The immediate area is characterised by modern commercial buildings and Ysgol Caer Elen."*
>
> Para 6.24 – *"The application site is currently lit by high level floodlighting which is harsh during the hours of darkness causing significant light pollution in the locality, extending well beyond the confines of the site."*

It is considered that the above extracts from the Committee Report highlight that the nature and characteristics of the Site and surrounding area are not those that would be expected within a Countryside location.

Finally, in the instance that the Council do not intend to revisit the Settlement Boundary and consider the Site (and surrounding land) to not be within the Settlement Boundary of Haverfordwest, the ability remains to include it and the surrounding area within a separate boundary and thus remove it from its Countryside allocation. This in our opinion would comprise a more realistic approach to the policy position surrounding the Site and surrounding area in the context of its nature and characteristics.

CONCLUSIONS

Day's support the Council's intention to include the Site within forthcoming allocation S/EMP/040/00004. Notwithstanding, it is considered that it would be beneficial to include allowance for suitable uses falling within a Sui Generis classification beyond those limited to Use Classes B2 / B8.

It is essential that emerging planning policy more explicitly supports the asset management of the Site and surrounding area, allowing for additional flexibility within employment areas and provides a positive framework for its successful management so that it can continue to serve its important role to residents in Haverfordwest and Pembrokeshire.

For the reasons set out above, it is considered that the exclusion of the Site and surrounding area from the Settlement Boundary is erroneous. In particular, the Site and surrounding area does not benefit from the characteristics of a Countryside location. Its continued inclusion is to dampen the effect of such policies elsewhere within Pembrokeshire.

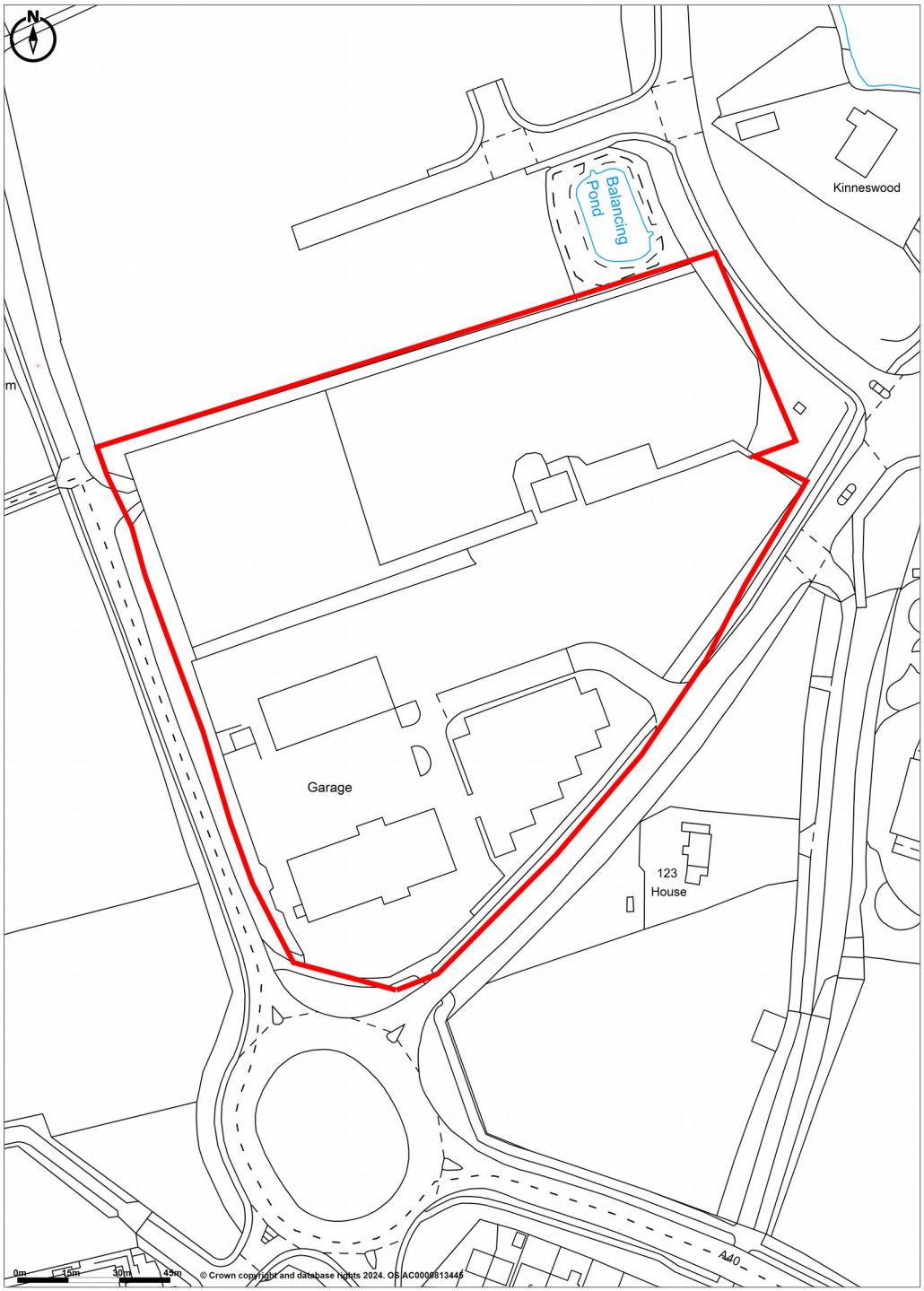
We trust that these written representations in relation to the Deposit Local Plan (LDP2) are of assistance to the Council. Comments are made to enhance the strength of the employment offering in Pembrokeshire and to make the forthcoming Plan sound in the context of Future Wales – The National Plan 2040 and PPW. We trust that these representations will be taken into account to inform the next stage of Local Development Plan making.

Our client wishes to continue engagement with the Council throughout the preparation of the new Local Development Plan and we request that we are kept informed of any updates going forward. If you have any queries relating to this submission, please contact Matthew Gray [redacted] of this office.

Yours sincerely,

[redacted]

MONTAGU EVANS LLP



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