

Carmarthenshire Local Planning Authority

PLANNING ANNUAL PERFORMANCE REPORT 2018

(Reporting period April 2017 – March 2018)



PREFACE

I am delighted to introduce the Fourth Annual Performance Report for Carmarthenshire County Council's Planning Service, a service which plays a key role in delivering Council priorities, which will cover every aspect of people's lives. I fully welcome the Planning Annual Performance Report (APR), as it captures the ongoing work being carried out on improving performance and will form a basis for year-on-year analysis.

Good planning is at the heart of what we are about as a Council, making good, safe places for our residents to live, work and enjoy their leisure time in. The planning service can help in delivering these aims whilst generating growth in the economy and protecting our natural habitats. The adoption of the Planning (Wales) Act in July 2015 has introduced a number of new challenges and the implications of that Act continue to filter through in the form of secondary legislation and guidance. Other relatively new Acts that have significant implications for the planning process in Wales include that of the Environment (Wales) Act 2016 and Historic Environment (Wales) Act 2016. This Council will continue to look at embracing the move towards positive planning that the Planning Act prescribes.



Councillor Mair Stephens
Deputy Leader

Introduction

The purpose of this Annual Performance Report is to set out the planning context over the period 1 April 2017 to 31 March 2018 for Carmarthenshire. The report excludes parts of the County covered by the Brecon Beacons National Park Authority, as they have their own Development Management function and Local Development Plan, and will have prepared their own Annual Performance Report for the same period.

The County

Carmarthenshire is a diverse County with the agricultural economy and landscape of the rural areas sitting side by side with the urban and industrial south-eastern area. However, as a primarily rural County, the population density is low at 75.7 persons per sq. kilometre, compared with an average of 140 persons per sq. kilometre for Wales as a whole. This low density of population is more apparent in rural Carmarthenshire than it is in the south and east of the County where 65% of the Carmarthenshire's population reside on 35% of the land.

The main urban centres of the County include Llanelli, Ammanford/Cross Hands and Carmarthen with the former representing historically important industrial centres within the South eastern area. The historic market town of Carmarthen, sitting at the gateway to west Wales and due to its central geographic location, typically serves the needs of the County's rural hinterland and beyond. The County's other large settlements vary in size and many of them make notable contributions to the needs and requirements of their community and the surrounding area. These are supplemented by a number of rural villages and settlements which are self-sufficient in terms of facilities and services; however, many other smaller settlements lack services and facilities. The needs of residents in these latter areas are typically met by neighbouring settlements.

The adopted Local Development Plan (LDP) builds upon the spatial characteristics and diversity of the County and its communities and seeks to consolidate the existing spatial settlement pattern and previous development plan frameworks, whilst continuing to reflect and promote sustainability. It seeks to implement a land use framework which reflects and promotes accessibility to essential services and facilities, thus reducing the need to travel and improving social inclusion. It represents a plan-led approach based firmly upon the existing spatial context aimed at achieving viable, self-supporting settlements and sustainable rural communities. This allows for the potential consolidation of existing facilities and provides for the support, retention and continued provision of viable facilities, services and employment opportunities at accessible and appropriate locations. It also enables the further development of sustainable local economies and facilitates regeneration opportunities.

The County's strategic importance is confirmed by the fact that it is situated within three areas identified by the Wales Spatial Plan (WSP):

- Pembrokeshire - The Haven;
- Swansea Bay - Waterfront and the Western Valleys; and
- Central Wales.

The Swansea Bay City Region encompasses the Council areas of Pembrokeshire, Carmarthenshire, City and County of Swansea and Neath Port Talbot. It brings together business, local government and a range of other partners, working towards creating economic prosperity for the people who live and work in our City Region. The Swansea Bay City Region Economic Regeneration Strategy 2013 – 2030 sets out the strategic framework for the region aimed at supporting the area's development over the coming decades. The LDP, in recognising the role of Carmarthenshire, makes provision through its policies and proposals for employment development (including regeneration), with the economy an important component of the Plan's Strategy. The emerging role of the City Region and the City Deal will be a consideration to ensuring the continued compatibility of the approaches in each County in terms of the strategic context of the Region.

Planning background

The Carmarthenshire LDP was adopted on 10 December 2014, and sets out the spatial vision for the future of Carmarthenshire (excluding that area within the Brecon Beacons National Park which has its own LDP), along with a framework for the distribution and delivery of growth and development. It sets out land-use planning policies and proposals for the future across Carmarthenshire and forms the basis for the determination of planning applications and in guiding future opportunities for investment and growth.

LDP policies include land-use allocations for different types of development (i.e. housing, employment, retailing, education, open space, built and natural environment etc.) as well as criteria for assessing individual proposals. The LDP has a direct effect on the lives of every resident of the County as well as major implications on investment programmes, other plans and strategies, communities and landowners. The LDP will guide development up to 2021, and is being monitored in accordance with the monitoring framework set out in that Plan and reviewed.

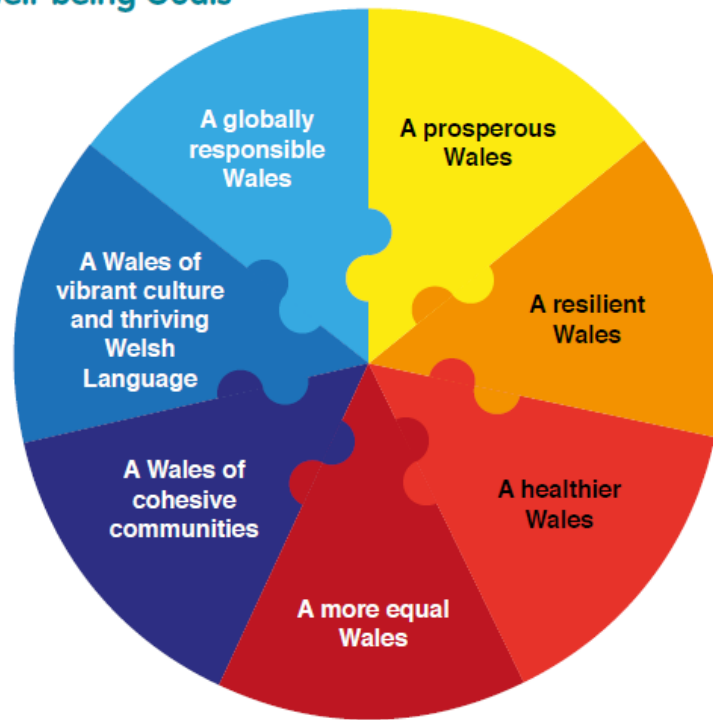
The third Annual Monitoring Report (AMR) on the LDP has been prepared to see how the LDP is actually working in practice. This report, and its recommendations have been considered by County Council on the 10th October 2018, and will have been submitted to the Welsh Government by 31 October 2018 and published on the Carmarthenshire County Council website. The recommendations contained within the AMR will outline the need for review of the Plan and its content. This process is repeated from now on and submitted to Welsh Government in October of each year.

During 2017/2018 the Council made the decision to start the Review of the LDP and in June of 2018 the WG approved a Delivery Agreement for producing this revised LDP. The Council are therefore currently working towards having a new LDP in place and adopted before the end of 2021.

Planning and wider strategic and operational activity of the Council

The Well-being of Future Generations (Wales) Act is about encouraging public bodies to think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach. This will help to create a Wales that we all want to live in, now and in the future. To make sure we are all working towards the same vision, the Act puts in place **seven** well-being goals, which are noted below:

Well-being Goals



The Sustainable Development Principle and the 5 Ways of Working

The principle is made up of **five key ways of working** that public bodies are required to take into account when applying sustainable development. These are:-

- A. Looking to the **long term** so that we do not compromise the ability of future generations to meet their own needs;
- B. Taking an **integrated** approach so that public bodies look at all the well-being goals in deciding on their priorities;
- C. **Involving** a diversity of the population in the decisions that affect them;
- D. Working with others in a **collaborative** way to find shared sustainable solutions;
- E. Understanding the root causes of issues to **prevent** them from occurring.

Over the next few years, Wellbeing Plans will provide part of the evidence base and context for future LDPs and any Strategic Development Plans. The LDP will remain a key tool to deliver Wellbeing Plans and there are clear advantages in terms of efficiency, engagement and outcomes to undertake both processes together. The progression towards Wellbeing Plans and the transfer from the Local Service Board to Public Service Board will be considered as part of producing the new LDP to ensure the continued alignment of these two core Plans.

The LDP also works hand in hand with other corporate plans and strategies to achieve sustainable outcomes. Many of these strategies have a common sustainability agenda. Some of these strategies include:

- Carmarthenshire Housing Strategy: People Homes and Communities;
- Transformations: Strategic Regeneration Plan for Carmarthenshire: 2015-2030;
- Carmarthenshire Local Biodiversity Action Plan (LBAP) and Review;
- Joint Transport Plan for South West Wales: 2015 - 2020;
- South Wales Regional Aggregates Working Party - Regional Technical Statement;
- Open All Year – A Tourism Strategy for South West Wales;
- Carmarthenshire Rural Development Plan;
- Gypsy and Traveller Community Strategy for Carmarthenshire County Council;
- Local Housing Market Assessment, Carmarthenshire County Council;
- Carmarthenshire County Council Corporate Strategy 2018-2023

In addition to working with partners within the County, liaison with neighbouring authorities has and remains a key feature across the South West Wales region playing an important role in the LDP's preparatory process and also in taking forward the many new implications emerging from the Planning (Wales) Act 2015. The Council has regular contact with neighbouring authorities, both individually and collectively at regional level (through the South West Wales Regional Planning Group, which include Brecon Beacons National Park Authority, City and County of Swansea, Pembrokeshire, Ceredigion, Powys and Neath Port Talbot), to ensure alignment between respective LDPs. Certain factors preclude complete conformity, but constructive discussions and shared information and experience has minimised the risk of conflicting policies, and ensured an appropriate level of integration.

The feasibility of introducing a Community Infrastructure Levy (CIL); the Planning Act 2008 and the CIL Regulations 2010 has been put on hold by the Council recent years. The Acts introduced the opportunity to implement a new regime for funding infrastructure to support new development.

Introduction of CIL is not a mandatory requirement for Local Authorities. However, the new legislation effectively scales back the scope of using Section 106 legal agreements, limiting them to affordable housing and 'on site' mitigation measures only. Carmarthenshire has therefore been considering the respective merits of implementing CIL.

In this respect, the District Valuers Service (DVS) were commissioned to undertake a viability study to inform the deliberations of adopting a CIL Charging Schedule. The study provides an evidence base of land, sales and rental values, construction costs and development viability for a range of land uses across Carmarthenshire (excluding the Brecon Beacons National Park area).

Whilst this and other evidence has proved beneficial in setting the context for CIL within Carmarthenshire recent changes in the national context have changed the Council's approach to CIL. In response to the review commissioned by the Department of Communities and Local Government - A New Approach to Developer Contributions to Ministers, along with the devolution of CIL to the Welsh Government under the Wales Act 2017 the Council has, for the time being, put progressing CIL on hold (Council decision 20th September 2017).

Existing and previous major influences on land use

The County is characterised by a rural and urban split which typifies the variability within settlements and their historic and future roles. This is exemplified by the predominately South Eastern urban areas and their post-industrial needs in terms of regeneration. The challenges faced by such settlements are often of a marked difference in terms of scale to those of rural areas which face separate challenges in respect of depopulation and changes within the agricultural industry. This encapsulates the diversity of Carmarthenshire's communities and settlements which are diverse in character, scale and role with a settlement's size not always reflective of its role. In this respect the distribution of opportunities for growth based on its position within the LDP hierarchy could not be predicated on a simplistic interpretation of distribution where growth is provided, for example across all tier 3 settlements (as defined by the LDP) on an equal basis. Indeed this equally applies within the Growth Areas (as defined by the LDP) where each has manifestly different issues and considerations underpinning potential for growth but within the context of their importance in strategic terms and the function they perform.

There are a number of considerations that affect the suitability of land for development across the County, notably flooding (many of the larger towns are situated adjacent to the sea and/or rivers) and nature conservation and designations (notably Llanelli/Burry Port and Cross Hands). Furthermore, there are a number of social considerations including areas of linguistic interest in terms of the Welsh language – notably within the Gwendraeth and Amman Valleys which need to be taken into account in looking at the suitability of developments being proposed and their potential impacts.

The significance of addressing the challenges of location and sustainability facing certain rural communities has been recognised through the LDP and its suitable settlement hierarchy. The various exceptions policies included in the LDP seek to ensure that organic and sustainable growth in such rural areas is where appropriate achievable.

Historic/landscape setting of the area, including Sites of Special Scientific Interest, conservation areas etc.

The richness of Carmarthenshire's natural, built and cultural environment is an important spatial consideration in planning for the future of the County, particularly in terms of the potential for growth and the sympathetic siting of development. The County includes sites designated at the international level to protect and enhance important nature conservation value, as well as striking landscapes and distinctive historic towns and villages. The importance of the County's built heritage is borne out by the 27 conservation areas designated within its settlements, 367 Scheduled Ancient Monuments (ranging from Prehistoric to post- Medieval/Modern features of cultural historic interest), 4 Registered Historic Landscapes, 18 historic parks and gardens and over 1,800 listed buildings. There are also a number of designated sites for nature conservation and biodiversity importance, including 7 Special Areas of Conservation, 3 Special Protection Areas, 1 Ramsar site (Burry Inlet), 82 Sites of Special Scientific Interest, 5 National Nature Reserves, 6 Local Nature Reserves and 7 registered landscapes.

Population change and influence on Planning matters

The 2011 Census identified the population of Carmarthenshire at 183,777 with 78,829 households.

Between the 2001 and 2011 Censuses, Carmarthenshire saw an increase of 11,070 in its population and an increase in households of 5,781. During the same period the housing stock rose by 6,969 dwellings. The current spread of population and households across the County broadly reflects the current urban form and established communities,

In preparing its LDP, the Council developed a revised scenario for population and household change. This used updated evidence to derive the assumptions on future migration streams, but struck a balance between the very high net migration experienced mid-decade, the situation in 2009, which recorded the lowest net-migration to Carmarthenshire since 1993, along with all available and published data sources since the Welsh Government 2008-based projections. Consideration was given to the implications of the Welsh Government 2011-based Local Authority household projections and the projected reduction outlined within the 2011-based household projections against the strategic context of the LDP and its objectives. The Plan consequently is based on growth aspirations with an identified housing requirement of 15,197 dwellings over the plan period up to 2021.

The publication of the 2014-based Sub National Household and Population Projections and their implications were considered as part of the 2017 AMR with due regard given to these projections and the need to understand the factors influencing future housing requirements and demographic change, and its impact on any LDP review. The authority is currently producing a new set of population and household projections as part of the evidence base for the new LDP – these will be considered at Inquiry during 2020/21 and will form the basis of the new LDP in due course.

PLANNING SERVICE

The Service and its location within the Council

Carmarthenshire County Council consists of six Departments who report directly to the Chief Executive. Each Department is responsible for a number of Services, with each Service area having a Head of Service.

The Corporate structure for Carmarthenshire County Council can be seen in Figure A.

The Planning Service relocated to the Environment Department on 1 April 2015, with both a new Director of Environment and Head of Planning appointed during the 2015/2016 financial year. The relocation of the Planning Service means that it is now within the same Department as Highways and Transport, Property and Waste & Environmental Services. The Head of Planning reports directly to the Director of Environment.

Figure B below sets out the structure of the Planning Service. As can be seen the Service is split into six separate functions (business units), each with a Business Manager and all reporting directly to the Head of Planning.

Figure A: Carmarthenshire County Council Corporate Structure, as at 31 March 2018

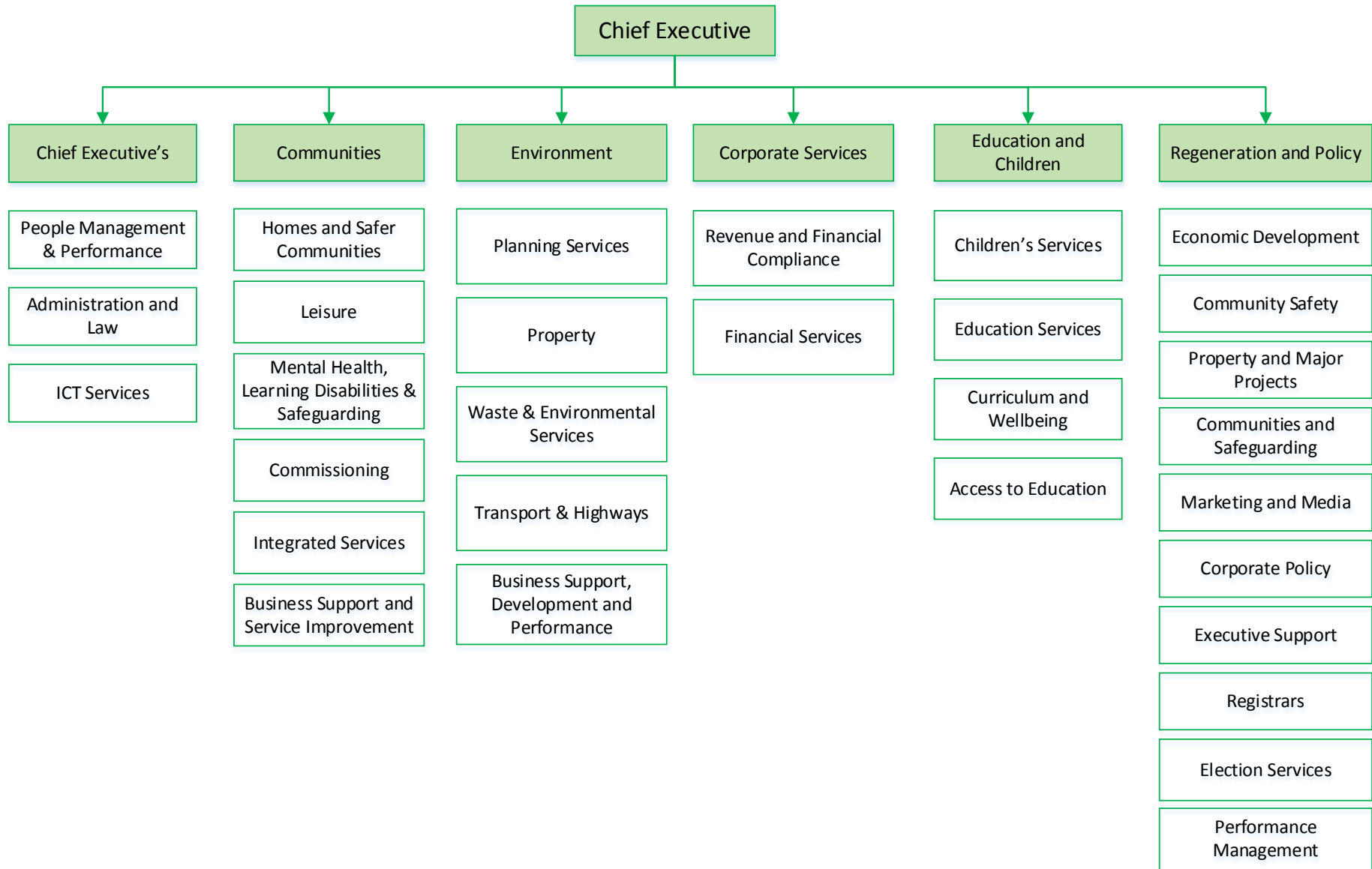
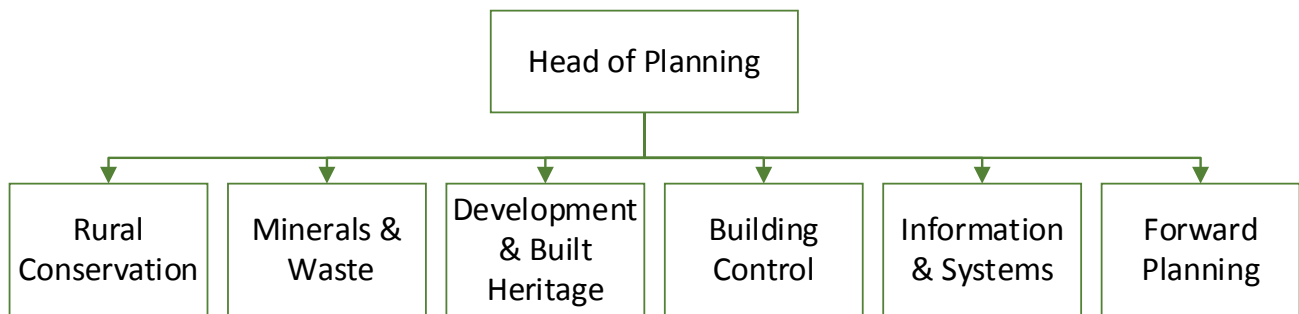


Figure B: Planning Service Structure, as at 31st March 2018



The Planning Service is located at Carmarthen, Llanelli and Llandeilo, occupying six separate sites in total as follows:

Head of Planning

The Head of Planning, plus 3 support staff, is located at Spilman Street, Carmarthen.

Rural Conservation

The Rural Conservation Team is primarily based at Carmarthen (Spilman Street) and Llandeilo (Civic Offices). The Team also has representation near Cross Hands in terms of the Management of the Caeau Mynydd Mawr project. One officer is also currently based at the Llanelli Office at least part of the week.

Minerals and Waste

The Minerals and Waste Team have their base at Llandeilo, within the Civic Offices - although they are largely site based due to the nature of their duties which includes undertaking the Minerals and Waste function for a number of South Wales LPAs.

Development Management & Built Heritage

Development Management, which includes Planning Enforcement, Ecology and Built Heritage, currently have four separate teams. The Development Management function is split into two geographical areas with a team of officers responsible for each area. These two teams are located at Ty Elwyn, Llanelli and Civic Offices, Llandeilo. The Enforcement team is based in Spilman Street Carmarthen, whilst the Built Heritage Team are based at the Tywi centre Llandeilo. In reality Officers work from a variety of offices depending on their work needs in line with the Council's agile working policy. The administrative hub for the registration of all planning applications and data management is undertaken at Civic Offices, Llandeilo.

Building Control

Building Control also have presence in three locations, which are Ty Elwyn, Llanelli, Civic Offices, Llandeilo and Spilman Street, Carmarthen, with Spilman Street being the base for plan vetting. The advantages of co-locating Building Control and the Development Management Teams is widely acknowledged by Officers.

Forward Planning

Forward Planning is the only function entirely located at Spilman Street, Carmarthen.

Wider organisational activities impacting on the service

The Service has identified Priority Based Budgeting (PBB) savings for a three year period of some £200,000 for the next three years (2018 – 2021), having already made savings over the period 2013/15 with 8 FTE staff being lost as a result of voluntary severance.

The Development Management Unit underwent an internal review process in 2015, with an emphasis of challenge being introduced through Systems Thinking. This has resulted in a redesigned service/system delivery, and is now being rolled out to other areas within the Service - Minerals and Waste. This review process includes the capacity for challenge and further examination on a regular basis, to ensure that the system and service remain up to date and relevant. The general principles underlying this include the need for early engagement and stress the importance of building quality into submissions at as early a stage as possible. It is noted that this resonates with some of the basic tenets of the Positive Planning agenda of Welsh Government. The service area is also looking at developing its own suite of monitoring measures, with a view to better evidencing quality in the process and being able to understand the customer 'end to end' experience. In addition to the above qualitative aspects, it is anticipated that this will realise further financial savings. Some of the savings to date have been achieved through changes such as a move to a more paperless way of working which has reduced printing and copying costs. The full impact will be evaluated as the new systems roll out further.

The Minerals and Waste team has, for a number of years, established service level agreements with several other Local Authorities (LAs) in West Wales. The Local Authorities are:

- Pembrokeshire Coast National Park Authority;
- Pembrokeshire County Council;
- Brecon Beacons National Park Authority;
- Powys County Council;
- Merthyr Tydfil County Borough Council;
- Vale of Glamorgan Council; and
- Neath Port Talbot County Borough Council

These vary in format but include all of, or a combination of those LAs monitoring, planning applications and enforcement needs in relation to Minerals and Waste matters.

A multi-disciplinary enforcement group exists which meets quarterly and is chaired with the Executive Board Member who has responsibility regarding all enforcement matters.

The Planning Service is currently working with a provider for the development of a new 'back office' system that is cloud based. This new system should provide greater flexibility and provide opportunities for bespoke development to be undertaken in-house. The system also offers a more focussed opportunity for performance measurement. This new system should be in place by the end of this financial year.

Additionally, the County Council's electronic data management system (EDMS), known as Information@Work, is being reviewed with greater opportunity being provided for the sharing

of information on a cross departmental basis. This would better inform and support the Development Team approach to dealing with major development proposals that are being introduced within the County. The intention is, subject to safeguards, to extend this to external agencies such as Natural Resources Wales, with a view to, for example, better informing consideration of development proposals.

Operating budget:

The actual Planning Application fee income against that budgeted is indicated Table 1 below. The Planning Service retains its fee income, although, as the figures below show, there is a discrepancy between the budgeted income and the actual. This is a key factor when setting the annual operating budget.

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Budgeted income	£1,238,854	£1,261,153	£1,248,542	£1,248,542	£1,249,895	£1,265,206
Actual Income	£763,064	£1,318,182	£1,145,985	£1,149,517	£734,216	£863,983

Staffing, as at 31 March 2018:

The following sets out the staffing position for the APR period.

The **Development Management and Built Heritage Unit** within the Planning Service is managed by a Development Management and Built Heritage Manager, who has direct line management responsibility for four Senior Officers. The Unit currently operates out of four office locations - Carmarthen, Llanelli, and two in Llandeilo. There are four Teams each led by a Senior Officer. The four teams are that of two Development Management (12 Officers in total), one Enforcement (6 officers, one of which works part time) and one Built Heritage (5 Officers, three of which are on fixed term contracts).

The Unit is given technical support by the **Information and Systems Unit** headed by the Information and Systems Manager. This support is in the form of registration of applications, updating of databases/GIS, scanning of information/plans, in addition to them undertaking Land Searches and appeals administration. The team is also responsible for all Planning-related IT development and website maintenance and updating. In addition to the manager there are 5 Registration/Searches Officers, 2.6 FTE Information and Development Management Assistants, 4.6 FTE Information Management posts.

The **Forward Planning** Team consists of a Forward Planning Manager along with 5 Forward Planning Officers covering all aspects of Planning Policy including the development plan policy, Supplementary Planning Guidance, site delivery initiatives and monitoring including the AMR, Regional Waste and Joint Housing Land Availability. During the year a 4 year post for Sustainability and Ecology Support Officer was created and recruited to, this is to support the Team through the LDP Review.

In addition there is an Implementation and Monitoring Officer who looks after all matters related to s106 contributions.

The Unit is supported by 3 technical officers who look after matters such as consultations, graphics and publications.

It is acknowledged that staff development and broadening its remit, whilst prioritising its statutory functions is key to the portfolio's future success. In this respect the Forward Planning team established an internal planning consultancy role during 2014/15, to assist in maximising delivery opportunities on Council owned sites and to ensure there is clarity in relation to future development opportunities. This has resultant revenue benefits and reduces the financial burden to the Council through unnecessary use of external consultants. It is also an approach which is key to staff retention through financial income and a fresh and stimulating workload. However this role is under threat as work on the LDP ramps up over the next year.

There are 8 staff currently working in the **Minerals and Waste** Unit; including a graduate surveyor appointed on a two year contract during this financial year. The Unit provides minerals and waste planning services for Carmarthenshire and for seven other Local Planning Authorities under SLAs, which have already been listed previously.

Loss of skilled personnel within the Minerals/Waste team has been identified as a significant risk which would result in the inability to provide a minerals and waste service at current levels. In addition, it is anticipated that demand for Minerals and Waste services will increase due to loss of key personnel in other Authorities which is adding pressure on existing staff resources. The Unit was therefore restructured during the past financial year to increase resilience. The appointment of the temporary graduate surveyor was very much part of the succession planning thinking behind the restructure.

The Planning Service also draws heavily on the expertise and input of the **Rural Conservation Team** – who are located within the Planning Service (10 Officers in total, not all full time, and two of which are on fixed term contracts). Much of the Ecology and Landscape Officers time is taken up with planning matters. Other Officers who make up part of the team also contribute significantly to the planning process. The team has three Ecology posts at present, but only one of which is permanent, the other 2 are fixed term contracts one of which is a Graduate position.

The potential loss of skilled personnel within the **Building Control** team has been identified as a risk which would result in the inability to provide a service at current levels. The management of the Business Unit has for the past few years been undertaken on a temporary basis jointly by the Principle Officers. The Head of Service is looking at revising this to ensure the Unit has one point of contact and responsibility with regard to management matters. The Head of Service is also working with the two Principles on succession planning to identify changes to the current structure to improve resilience but also to provide opportunities for junior staff to progress. These changes are likely to occur late 2018. The Unit currently also has an apprentice on a two year contract.

All Business Unit Managers understand the value of, and promote, training opportunities that support the business aims whilst allowing career progression and development. The graduate and apprentice posts are an established indication of this, although there are other opportunities provided through ILM courses, and internal projects such as the Continuous Improvement Programme and the Future Leaders Programme.

All staff have annual appraisals, and regular one-to-one meetings with managers. Regular internal training seminars are arranged (3 or 4 annually) which count towards Continual Professional Development (CPD). The portfolio also supports and undertakes training and

development sessions to other staff, Members and Town and Community Councils building on experiences and lesson learned. The County Council does not pay membership fees of professional institutes.

The Service also operates regular agent seminars, with this being seen as particularly relevant in the more recent times of legislative change. These seminars offer Continued Professional Development (CPD) opportunities for the agents and occur in March and September.

Our local Story:

Workload: Development Management

Carmarthenshire County Council is maintaining a general overall performance that sees it running at 71% for determining all types of Planning applications within the determination time. The on-going internal review has had some impact in terms of people coming to understand new systems and practices.

Table 2: Planning applications dealt with annually

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Application Numbers	1627	1905	1907	1663	1414	1360

The numbers of applications per officer will, at a very general level, be in the region of 140 per officer. That figure is predicted the two Senior Officers having a very limited case load and having more of a supervisory and mentoring role.

The Development Management element of the service reflects the diverse nature of Carmarthenshire in terms of its rurality in the north and west, the numerous historic market towns interspersed throughout, and the post-industrial areas of the south and east with the former coal mines and steel works. This diversity, which generates the third highest number of applications across Local Planning Authorities (LPAs) in Wales, is framed within a wide geographical context, with the County’s administrative area being the third largest, accommodating the 4th largest population in Wales. Whilst the function deals with high numbers of Planning applications, its percentage of householder applications is relatively low (just over 20% in the last two years), reflecting the higher number of minor applications that are dealt with in the rural areas, in addition to the more major development proposals on the regionally important Strategic Sites of Carmarthen, Cross Hands, and Llanelli, as identified in the adopted LDP.

The Council is committed to understanding the impacts of its service delivery upon residents, and, as mentioned, is looking at alternative ways of measuring such, inasmuch as it is seeking to better understand and measure the customer end-to-end time. There is a commitment to reducing the numbers of incomplete and unsuccessful applications, and to ensuring a consistently positive and pragmatic approach to service delivery and outcomes. This is reflected in the customer surveys that see Carmarthenshire scoring above the Welsh average in areas such as availability of planning officers to discuss issues prior to submission of an application, having opportunities to amend proposals prior to determination, and an understanding of what information is required.

In order to increase efficiency given the additional workload the Unit is trialling different agile working options which will reduce travel time, reduce wastage and reduce office space requirements. This will require investment in digitising data and in agile working software which integrates with current back office systems.

The service area is in a period of change, and is seeking to adjust to that in terms of systems and processes, and promoting a behavioural change to facilitate economic development and regeneration where appropriate. There remain concerns that the positive actions the LPA is undertaking in this regard will be unreasonably challenged by budgetary pressures in the coming years. A further three year programme has been identified (2018 – 2021) in terms of savings and efficiencies, and the service review, whilst being framed to some extent by this, is also enabling these efficiencies to be introduced and realised. Changes to this Unit have the capacity to impact significantly and negatively on the performance agenda being pursued.

The Built Heritage Team has slowly been establishing itself over the past year following on from the restructure completed in September 2017 which set up this new team. The Team consists of a Senior Built Heritage Officer, and a team of 4 officers. One of the Officers has delegation in relation to determining applications relating to listed buildings. A Heritage Skills and Projects Officer post has been set up for 2 years (now heading into the second year) to establish a business case for the provision of expert advice and training in relation to built heritage and whether or not such a role could become self-financing. The other two posts are also fixed term contracts and consist of a Schools Heritage Officer and a Heritage Building Skills Trainer and Assessor. The Schools Heritage Officer is delivering the year-long Heritage for Schools in Rural Carmarthenshire project, which is due to draw to a close in January 2019. This project is delivering cultural and built heritage education to schools in the county, and will make a series of class room resources available through Hwb to enable Carmarthenshire's heritage to be integrated into all elements of the primary schools' curriculum. The post of Heritage Building Skills Trainer and Assessor is currently vacant, but the role will be to deliver the specialist heritage construction courses and assessments which are identified by the Heritage Skills and Projects Officer.

The Built Heritage Team is also working with a series of industry partners to deliver a 4 year project entitled Heritage Construction in Wales, and the project delivery officer is based with the Built Heritage Team at the Tywi Centre.

Workload: Forward Planning

Recognising the need to maximise the opportunities for delivery, and the necessity to work within a financially restrictive environment the Forward Planning team have been providing a responsive service to other service areas to assist in bringing sites forward and for their disposal on the open market. The production of policy notes and site specific briefs and assistance with preparing and submitting planning applications is a proactive and positive approach developing collaborative working arrangements. The resultant revenue benefits, and the reduction of use of external consultants are apparent, however the necessity to manage staff resources effectively to ensure core LDP responsibilities are maintained make the role vulnerable to loss of staffing numbers – and this has started to become reality over the past year. Whilst these risks are noted the benefits highlighted along with broadening staff skill sets is recognised as an ongoing opportunity. The Forward Planning Manager is

currently exploring options for safeguarding this role – however it requires additional funding and so far securing such funding has not been successful.

Ongoing requirements in relation to the maintenance of an up to date portfolio of evidence is paramount not only from a Forward Planning and LDP perspective, but also in ensuring decision making and requirements from applicants/developers is fully informed. There is an ongoing requirement to review, interpret and prepare core evidence, and to ensure they are robust and stand up to scrutiny – even more so now as the Unit progresses with the LDP Review. The need to employ consultant expertise will in some form remain despite the Service undertaking as much of the evidence work as possible in-house.

A number of Supplementary Guidance (SPG) were adopted concurrent with the LDP. Further SPG in the form of the following were adopted on the 28th September 2016:

- [Placemaking and Design](#);
- [Archaeology and Development](#);
- [Leisure & Open Space - Requirements for New Developments](#);
- [Nature Conservation and Biodiversity](#); and
- [Rural Development](#).

Whilst the LDP sets a strong policy direction for retail provision within Carmarthenshire, the challenges facing Llanelli Town Centre have require specific consideration. In this respect and in recognition of the opportunities that exist to co-ordinate with, and develop upon the regeneration initiatives in the town centre and the establishment of a 'Task Force' to address matters surrounding its decline the unit is developing a Local Development Order (LDO). This LDO will seek to consider and address issues of vacancy and activity on both ground and upper floors, and to examine the potential for alternative uses within part of the Llanelli Town Centre. This is expected to be endorsed by Council in September and subsequently forwarded to WG who have to approve the document for adoption.

For the APR and AMR period, the Council undertook the Joint Housing Land Availability Study (JHLAS) for the Carmarthenshire area, excluding the area that falls within the Brecon Beacons National Park.

The Unit in conjunction with the Minerals and Waste Team acts as lead authority in the preparation of the Waste Planning Monitoring Report for the South West Wales region.

Workload: Minerals and Waste

Demand for Minerals and Waste services is increasing due to loss of key personnel in other Authorities which is adding pressure on Carmarthenshire's existing staff resources within the Minerals and Waste Unit. A Service Level Agreement (SLA) with Neath Port Talbot County Borough Council was entered into in June 2015 and a SLA with the Vale of Glamorgan Council was entered into in October 2015. These are in addition to the ones already held by the Unit.

The Unit provides the Secretariat for the South Wales Regional Aggregates Working Party in accordance with Welsh Government (WG) requirements, which is grant funded from WG. The Unit also in conjunction with the Council's Forward Planning Unit acts as the Lead Authority for waste planning monitoring in the South West Wales Region in accordance with

WG requirements. An Interim Report for 2016/17 has been produced and submitted to the Welsh Government. Work on the production of the 2017/18 report has started.

In order to increase efficiency given the additional workload the Unit is trialling different agile working options which will reduce travel time, reduce wastage and reduce office space requirements. This will require investment in digitising data and in agile working software which integrates with current back office systems.

Workload: Rural Conservation

Carmarthenshire's landscapes and its habitats and species are some of the county's most important natural resources. They make up the green infrastructure which provides a framework for our social, economic and environmental health. The Unit promotes the understanding, conservation, enhancement, and responsible management of these resources.

The Unit provides advice to development management, other Council departments and the general public on landscape, trees, woodlands, hedgerows, biodiversity, Common Land and on development within the [Caeau Mynydd Mawr SPG](#) area. It is also instrumental in ensuring that approved developments and other projects comply with relevant legislation and LDP policies relating to the natural environment. The Biodiversity officer facilitates the Carmarthenshire Nature Partnership and the development of its Nature Recovery Plan, which will help deliver the objectives of WG's Nature Recovery Action Plan.

The Rural Conservation Business Unit carries out the following statutory functions:

- Tree Preservation Orders - Town and Country Planning (Trees) Regulations 1999;
- Hedgerow Regulations 1997; and
- Commons Registration Act 1965.

The Unit is now working with other departments within the council to ensure that the Council's operations are compliant under the Environment (Wales) Act 2016, and that the Council reports to the Welsh Government as required under this Act. The Council's Environment Act Forward Plan was completed in March 2017 and is now being monitored internally by the Council.

Workload: Building Control

The Unit has maintained its position as a CIOB Chartered Building Consultancy and has established a network of more than [75 local partners](#) including agents, consultants and other construction professionals to ensure the delivery of a high standard of service. In conjunction with Coleg Sir Gar, regular training seminars/workshops are hosted for the benefit of customers to provide advice and assistance in understanding and interpreting existing and proposed changes to legislation.

The Unit have also participated in the annual LABC [Building Excellence Awards](#) whose aim is to celebrate the success of design and construction teams that have produced outstanding buildings within the County. The Awards scheme whether it's County, regional or national is

useful in promoting the work of the Unit and the long standing membership with the LABC has been invaluable in terms of promoting the Unit

The Unit have also produced a 'Guide to extending your home' handbook. The guide which is available bilingually and in an electronic format is intended to provide advice about small scale building projects such as extensions, garage conversions, loft conversions, structural alterations along with other typical small scale projects.

Current projects

Service Reviews - The sections above have referred to the Service reviews the LPA has been carrying out over the recent years, this being part of an ongoing, rolling programme of check, plan, review. The impacts of this have been significant in terms of improving how information is processed and shared, and also understanding what the customer expects in terms of timeliness and quality of service delivery and decision making.

As part of the ongoing reviews, the LPA has considered how it best engages with stakeholders and consultees, with a particular emphasis at the moment being the nature and timeliness of internal/external consultation responses. As outlined, this is being achieved, to some degree, by involving relevant parties as soon as possible in the pre-application process, and the intention is to formalise this (in line with a charging schedule) into a cross departmental/agency approach under the Development Team banner.

Carmarthen West - This Team approach has happened to some degree (not formalised) to help deliver a major strategic site on the western edge of Carmarthen. The site is subject of an adopted SPG in the form of a Planning and Development Brief that will see the delivery of 1100+ dwellings and a new school, as well as the provision of a major road infrastructure improvement. This will also benefit the aspirations of University of Wales Trinity St David's, as well as the almost completed S4C Headquarter development.

Llanelli Wellness and Life Science Development – This is a regionally significant project that has seen Planning lead in a collaborative approach to delivering a major strategic development that is one of the cornerstone projects of the Swansea Bay City Region deal. The proposal includes the provision of a Community Health Hub (Institute of Life Science, Wellness Education Centre and Clinical Delivery Centre), Non Residential Institutions (Business Research and Development), Life Science Business Centre, Wellness Hub (including visitor centre, community, leisure and sporting facilities), Assisted Living Facilities (including residential care, extra care housing, and clinical rehabilitation), Associated Outdoor Recreation Area, Leisure and Therapy Spaces, Landscaping and Public Realm, Energy and Utilities Infrastructure, and Access and Parking on land at Delta Lakes in Llanelli. Covering approximately 23 hectares, this development proposal seeks to provide the above mentioned facilities such that they impact positively in improving peoples' quality of life, improve health and/or provide research opportunities within the wider regional health area.

The Tywi Path - The Planning Authority is involved in this locally significant project that is underway with the former redundant railway track between Carmarthen and Llandeilo being brought back to life as a major leisure and visitor attraction. Providing a traffic free pathway through one of the most scenic areas of Wales, it will follow an almost adjacent route to that of the River Tywi as it flows from Llandeilo to Carmarthen on its way to Carmarthen Bay. The path will link with major tourist attractions along the route with the attendant benefits in

terms of tourism and economic development, and will also give people a sustainable and healthy travel option, connecting with villages between the two main towns. The scheme has been broken down into distinct phases; the western end (between Abergwili and Nantgaredig) has been divided into four staged phases, and planning approval has already been granted for this. The eastern end will form the basis of a further submission to the Planning Authority and is likely to include links from the A483 past Ysgol Bro Dinefwr. Depending on the final design and the linking options at each end, the Tywi Valley Path will be around 16 miles long. The path will be 3m wide with a tarred surface and will provide a multi user link eg cyclists and walkers.

Forward Planning Consultancy – As already mentioned previously alongside its ongoing statutory function and delivering on other ongoing commitments, the Forward Planning team has established an internal planning consultancy to assist in maximising delivery opportunities on Council owned sites, and to ensure there is clarity in relation to future development opportunities. However over the past year with work on the LDP Review getting underway, there has been less time to spend on this area. The future of this work will depend on whether funding can be identified during the coming year to take on additional staff given that those currently involved are returning to work predominantly on the LDP.

Task Force - The Planning Service is advising as part of the of a multi service Task Force's created to consider matters relating to Llanelli and Ammanford Town Centres. In relation to Llanelli this includes the imminent Local Development Order to deal with specific issues within the town centre.

As has been alluded to, the Service has strong links to the Council's regeneration strategy and the regeneration team. This close working relationship will ensure that proposals are delivered in a consistent and co-ordinated manner which are in accordance with sound planning principles, and national and local planning policies.

IT - The Service has been undertaking the trial of tablet computers with the emphasis on trying to establish a better communications route to site based officers and where necessary advise on improvements to the system allowing the system to be tailored to how the department operates. It is hoped to reduce the amount of paper and documents produced to form a conventional paper file. This runs alongside, and is complementary to, the County Council's agile working strategy, and is seen as a key element in maintaining an effective delivery of service across the large geographical area of Carmarthenshire.

Caeau Mynydd Mawr Project - The Cross Hands area has been designated as one of the three growth centres in Carmarthenshire's LDP. The area is also suitable habitat for the Marsh Fritillary butterfly which is a feature of the Caeau Mynydd Mawr Special Area of Conservation (SAC). In implementing the project the Conservation Project Officer assists in the delivery of key economic objectives while ensuring that development is compliant with EU legislation. The post is funded by receipts secured through Section 106 agreements, with receipts from development are in place to cover the salary of the project officer up until 2021, consistent with the LDP period.

During the year, the project has achieved the following:

- Installed fencing on 8 sites to allow grazing on neglected sites or better management of sites which are already grazed.
- Carried out mowing on 11 sites to reduce the density of vegetation, manage rushes and to encourage stock to graze.
- Carried out vegetation management on 2 sites to increase the area of grassland habitat;
- Coppiced and fenced hedgerows around 3 fields at a site owned by the project using funding from Welsh Government's Glastir Scheme, improving hedgerows and grazing management.
- Implemented knotweed control programmes on 2 sites.
- Assisted with grazing management on 12 sites- sourcing stock, managing grazing and moving stock between sites to improve habitat.
- Assisted with pre-movement TB Testing of cattle.
- Worked with the Fire Service and local volunteers to carry out controlled burning on 3 sites to restore grassland in preparation for grazing;
- Carried out 2 grassland turf translocations from development sites to areas managed by the project.
- Hosted visits for a local school, Community and County Councillors and Council staff.

The project works with colleagues from other Carmarthenshire County Council departments, Butterfly Conservation, PONT, The Wildlife Trust of South and West Wales, Natural Resources Wales, Mid and West Wales Fire and Rescue Service, Bumblebee Conservation, Welsh Government and volunteers to achieve common goals within the project area.

As of March 2018, the project has 19 management agreements in place with landowners, manages areas of 2 Country Parks and owns and manages a further 3 sites. Together these include 80ha of suitable breeding habitat for the Marsh fritillary butterfly.

Carmarthenshire Bogs Project - The Common Land Officer and Rural Conservation Manager are continuing to work with the Biodiversity Officer in continuing the Carmarthenshire Bogs Project which the Heritage Lottery funded £43,000 of grant aid (project came to an end March 2017). All six sites covered by this project are areas of common land with no known owners: as such the Council is expected to protect these sites from illegal activities. The project has worked to improve the conservation status of these commons. Swansea University continue to undertake scientific research on two of the bog. A bike route ([Common to Common](#)) has been created and is featured on the Discover Carmarthenshire website. This year firebreaks are being cut again and additional work to retain water within in the deep peat at Figyn has taken place. Links to an all-Wales SMS peatland project may result in additional funding for scrub removal, fencing and raising awareness.

Carmarthenshire Nature Recovery Plan - Staff continue to facilitate the Carmarthenshire Nature Partnership (formerly Carmarthenshire Biodiversity Partnership, which draws together all the organisations involved in nature conservation in the County. In partnership, the Biodiversity Officer continues to deliver projects across the county, some involve practical conservation (water vole habitat enhancement in Llanelli), while others raised awareness of biodiversity issues (BioBlitz at Pembrey Country Park) and developed biodiversity best practice within other CCC departments (Ecological Guidance notes for officers). This is

consistent with CCC's new duties set out in the Well Being of Future Generations (Wales) Act 2015 and Environment (Wales) Act 2016. Much of this work is funded by the Welsh Government's Environment and Sustainable Development grant to the Authority.

Morfa Berwig site, Llanelli – The Morfa Berwig Local Nature Reserve was formerly designated in July 2017 by Natural Resources Wales and has continue to be managed to enhance its nature conservation value over the last 12 months. S106 funding has been used for the management of the brown field habitat on the site, and some areas that were beginning to scrub up have been cut back to re-instate the earlier stages of vegetation succession. As part of this work an existing shallow pond was open up, and is now more accessible to the public. In addition signage improvements were made and the route to the site is now marked from Bynea. So as to ensure that the site is easier for the local community to use and enjoy, and using other funding, access paths have been improved. A project to involve Bynea school in observing nesting birds on the site was developed for the 2018 breeding season, for which 50 nest boxes were purchased. Two volunteer work parties are held on the site each month, one with Mencap and one with conservation volunteers. Much of the day to day work on the site is overseen by Leisure's Conservation Officer.

Minerals and Waste Review - The Minerals and Waste Unit review of the current process was put on hold during the year due to the restructuring. This review will recommence in 2018/19. The aim is to provide the team with the opportunity to experience the service from the 'customer perspective', to identify what issues were impacting upon current performance, and what within the current system was causing this to happen.

Local pressures

A source of pressure for the Development Management Teams has been the impacts of the requirement for financial contributions to be made towards the provision of Affordable Housing within the County. This requirement extends to single dwelling and has presented challenges in terms of perceptions of this, and how this is best secured through legal agreement. There has been a pressure on the Council's legal service as a result, although they have been the subject of a reduction in staffing and the process is currently the subject of a review. Unilateral Undertakings (UUs) have been applied over the past year in order that legal can concentrate on Section 106 applications. Legal support remains available throughout as it is recognised that some UUs won't be straightforward. The benefits of this new approach is starting to become evident. It is an area that agents have consistently asked for improvement in terms of timescales and clarity.

The high housing allocation set in the LDP presents challenges in relation to a 5 year supply (4.2 year supply this year as opposed to 4.1 in 2017). This may have the effect of distorting a 'true' picture of land supply and of the availability of genuinely deliverable sites during initial years following adoption. The WG are currently reviewing how it measures and capture true land availability.

The introduction of the Community Infrastructure Levy Regulations on 1st April 2015 has through its provisions changed the way in which planning obligations can be sought through Section 106 Agreements. In this respect the scope for requiring planning obligations has been significantly scaled back. The CIL Regulations establish a far more limited approach to planning obligations via Section 106 Agreements. Although the application of a CIL charging

process has, for the time being, been put on hold in relation to Carmarthenshire, the impact of the legislation remains.

The impact of the legislation means that the tests for requiring planning obligations have to be tested far more rigorously, and have required the adoption of a case by case based approach to determining contributions sought and will require the regular review of the evidence base in determining future requirements.

In addition, the CIL Regulations place a limit on the Local Planning Authority to pool Section 106 contributions. Since 6th April 2015, no more than 5 separate planning obligations can be used to provide funding for a single specific infrastructure project. This has had implications for those obligations which are based on cumulative impact and require pooled contributions for their delivery. The effect of this provision is in essence that the Local Planning Authority is no longer able to secure a planning obligation which contributes to, or funds any infrastructure project or type of infrastructure if 5 planning obligations have already been entered into which contribute to or fund the same project or infrastructure type. This limitation is back-dated and takes into consideration all planning obligations entered into since 6th April 2010.

WHAT SERVICE USERS THINK

In 2017-18 we conducted a customer satisfaction survey aimed at assessing the views of people that had received a planning application decision during the year.

The survey was sent to 562 people, 17% of whom submitted a whole or partial response. The majority of responses (62%) were from members of the public rather than from agents. Of the results only 1% of respondents had their most recent planning application refused.

We asked respondents whether they agreed or disagreed with a series of statements about the planning service within Carmarthenshire. They were given the following answer options:

- Strongly agree;
- Tend to agree;
- Neither agree nor disagree;
- Tend to disagree; and
- Strongly disagree.

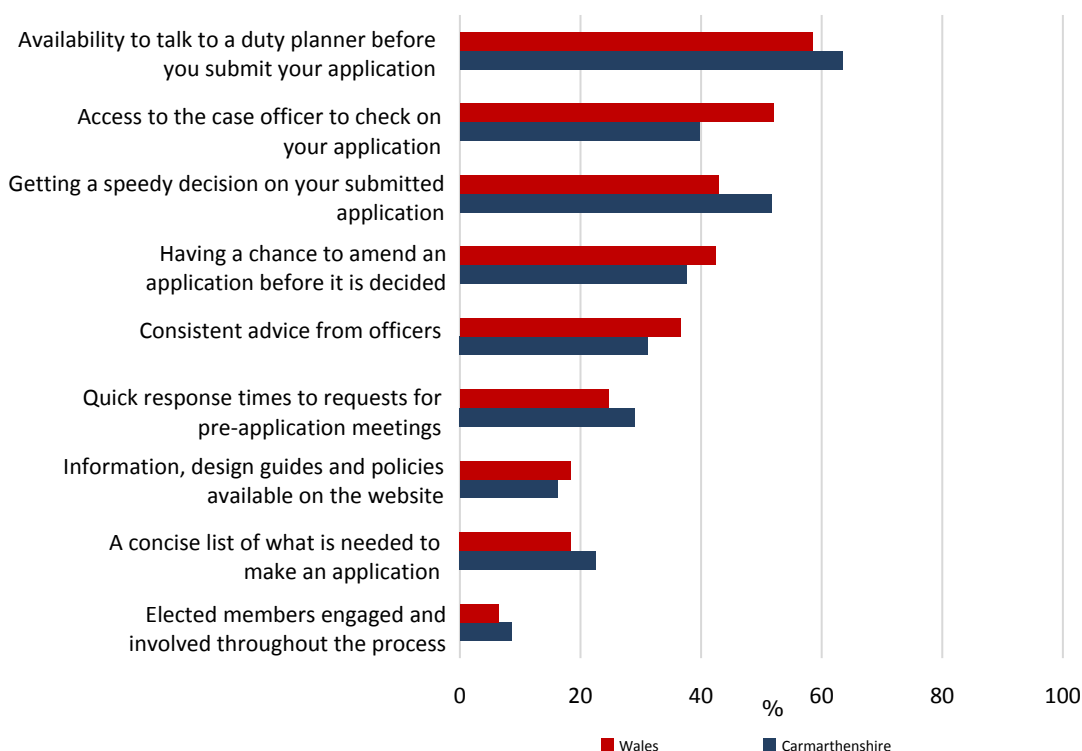
Table 1 shows the percentage of respondents that selected either 'tend to agree' or 'strongly agree' for each statement for both our planning authority and Wales. As can be seen Carmarthenshire remains above the Welsh average in relation to all but one of the categories. Further discussion will take place at away days and with Senior Development Management Officers to ensure that the issue of consistency and fairness are considered and better understood going forward. There have however been a number of improvements in relation to these results from last years, particularly in relation to points 2 and 4 below (64% and 63% respectively last year).

Table 1: Percentage of respondents who agreed with each statement, 2017-18

Respondents who agreed that:	Carmarthenshire LPA %	Wales %
The LPA applies its planning rules fairly and consistently	52	55
The LPA gave good advice to help them make a successful application	70	60
The LPA gives help throughout, including with conditions	60	52
The LPA responded promptly when they had questions	71	62
They were listened to about their application	62	60
They were kept informed about their application	52	52
They were satisfied overall with how the LPA handled their application	65	63

We also asked respondents to select three planning service characteristics from a list that they thought would most help them achieve successful developments. Figure 1 shows the percentage of respondents that chose each characteristic as one of their three selections. For us, 'the availability to talk to a duty planner before submitting an application' was the most popular choice - as indeed it was last year.

Figure 1: Characteristics of a good planning service, 2017-18



Specific comments received in the feedback include:

- *“A very good planning authority. The only thing i think needs addressing is the over-supply of commercial office space in Carmarthen Town Centre, particularly older buildings and over-shop offices. Perhaps a SPD covering*

the issue with alternative uses that are possible for these building to revitalise the Town Centre?"

- *"Determined within the timescale, unlike many other local authorities. The case officer gave helpful advice to inform a better location for the proposed dwelling."*
- *"Conservation officer needs to work in harmony and be supportive of the planning officers."*

OUR PERFORMANCE 2017-18

This section details our performance in 2017-18. It considers both the Planning Performance Framework indicators and other available data to help paint a comprehensive picture of performance. Where appropriate we make comparisons between our performance and the all Wales picture.

Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:

- Plan making;
- Efficiency;
- Quality;
- Engagement; and
- Enforcement.

Plan making

As at 31 March 2018, we were one of 22 LPAs that had a current development plan in place.

During the APR period we had 4.2 years of housing land supply identified, making us one of 18 Welsh LPAs without the required 5 years supply.

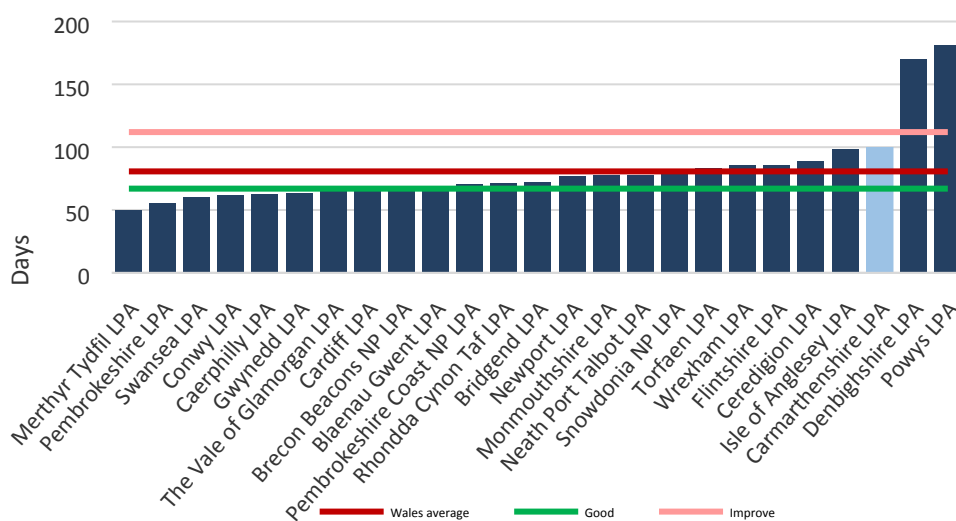
As noted earlier in this document WG acknowledge there is an issue with land supply across Wales and they are currently looking into this matter in greater detail. Many LPAs are concerned that overly high housing figures contained in LDPs as a result of past projections have led to unrealistic annual delivery expectations. This is evident from the sharp contrast of more recent projections which are significantly lower for a 15 year period than was the case previously.

Efficiency

The next section sets out how quickly the LPA dealt with the various typed of planning applications that get submitted. An overall commentary on the next few sets of data (Figures 2-7) can be found at the end of this Section on Efficiency (page 38).

In 2017-18 we determined 1,360 planning applications, each taking, on average, 100 days (14 weeks) to determine. This compares to an average of 81 days (12 weeks) across Wales. Figure 2 shows the average time taken by each LPA to determine an application during the year.

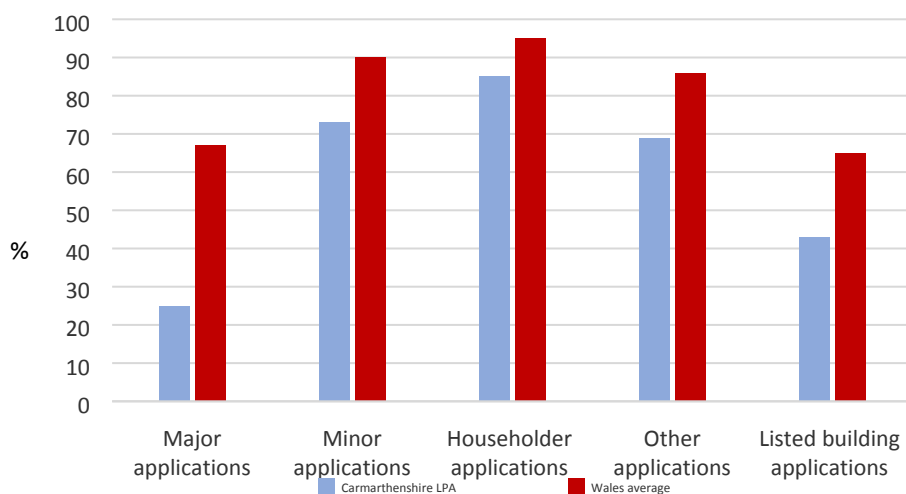
Figure 2: Average time taken (days) to determine applications, 2017-18



71% of all planning applications were determined within the required timescales. This was the second lowest percentage in Wales and was below the 80% target. 22 out of 25 LPAs met the 80% target.

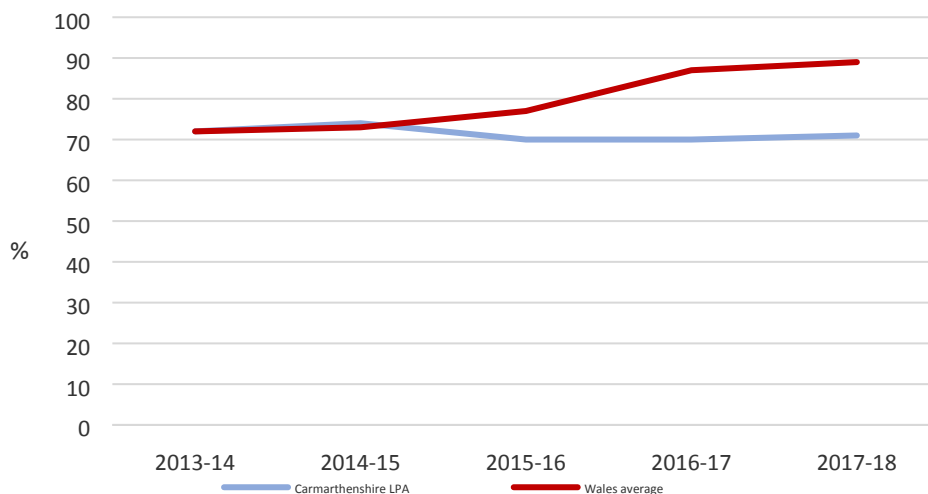
Figure 3 shows the percentage of planning applications determined within the required timescales across the main types of application for our LPA and Wales. It shows that we determined 85% of householder applications within the required timescales. We also determined 43% of Listed Building Consent applications within the required timescales.

Figure 3: Percentage of planning applications determined within the required timescales, by type, 2017-18



Between 2016-17 and 2017-18, as Figure 4 shows, the percentage of planning applications we determined within the required timescales increased from 70%. Wales also saw an increase this year.

Figure 4: Percentage of planning applications determined within the required timescales



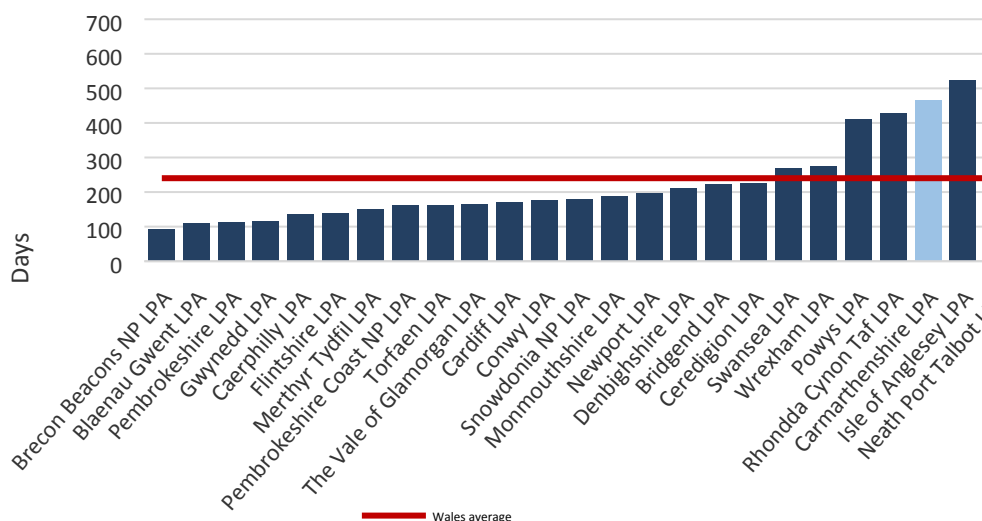
Over the same period:

- The number of applications we received decreased;
- The number of applications we determined decreased; and
- The number of applications we approved decreased.

Major applications

We determined 24 major planning applications in 2017-18, 21% (5 applications) of which were subject to an EIA. Each application (including those subject to an EIA) took, on average, 466 days (67 weeks) to determine. As Figure 5 shows, this was the third longest average time taken of all Welsh LPAs.

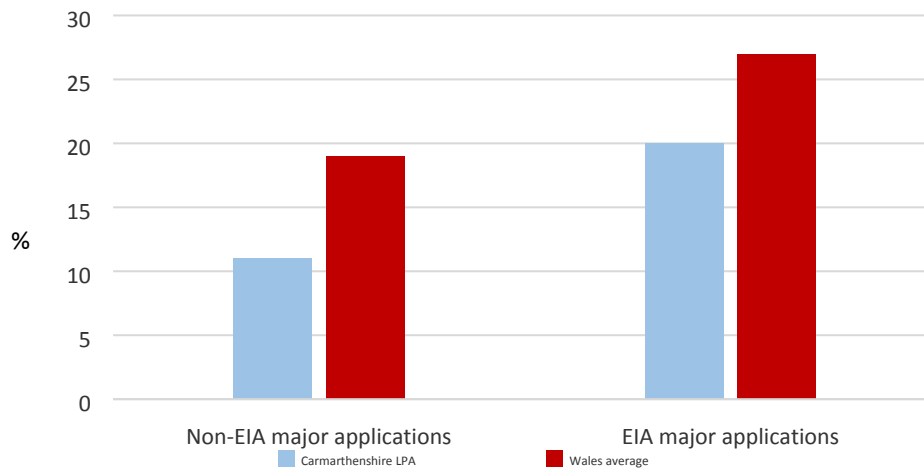
Figure 5: Average time (days) taken to determine a major application, 2017-18



25% of these major applications were determined within the required timescales, compared to 69% across Wales. This shows an improvement from the LPAs figure of 16% last year.

Figure 6 shows the percentage of major applications determined within the required timescales by the type of major application. 11% of our 'standard' major applications i.e. those not requiring an EIA, were determined within the required timescales during the year. This has improved slightly from the 6% reported last year.

Figure 6: Percentage of Major applications determined within the required timescales during the year, by type, 2017-18

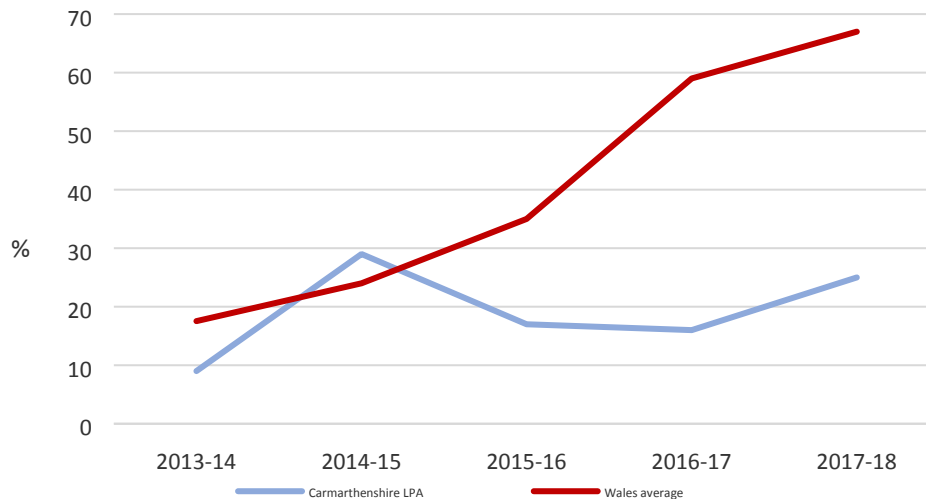


In addition we determined 3 major applications that were subject to a PPA in the required timescales during the year.

Since 2016-17 the percentage of major applications determined within the required timescales had increased from 16%. In contrast, the number of major applications determined decreased while the number of applications subject to an EIA determined during the year increased.

Figure 7 shows the trend in the percentage of major planning applications determined within the required timescales in recent years and how this compares to Wales.

Figure 7: Percentage of major planning applications determined within the required timescales



Over the same period:

- The percentage of minor applications determined within the required timescales increased from 70% to 73%;
- The percentage of householder applications determined within the required timescales decreased from 87% to 85%; and
- The percentage of other applications (these include listed building consent) determined within required timescales decreased from 76% to 69%.

The LPA needs to further consider the results set in this Efficiency section. Some early discussion at an all Wales forum of Chief Planning Officers suggests that some of the lower than average results result from Carmarthenshire’s continued emphasis on working with an applicant to achieve an approval rather than a refusal – hence extending the time taken to determine. In many LPAs the target dates drive decisions – resulting in far higher refusal rates than in Carmarthenshire. Many of those refused applications do in due course get an approval through a subsequent application, which of course takes additional time. To date the process review which took place for Carmarthenshire LPA and on-going discussion with applicants indicate that generally applicants would prefer to work with the LPA to achieve an approval and it take longer than to be refused permission and have to re-submit. Not all applicants take this view and the LPA needs to take a balanced view in those case and be ready to refuse.

It is also clear from recent all Wales discussion that most LPAs in Wales are making effective use of the ‘extension of time’ mechanism introduced by secondary legislation in Wales. This allows the LPA to negotiate with the applicant a revised target date. Thus many LPAs are achieving a higher % of determinations on target, even though the length of time will be longer than the initial statutory target. This needs to be looked at again with Officers and adopted more in relation to future applications by Carmarthenshire LPA as it would identify a significant improvement in the % of applications determined in time. It is not of course reflective of the overall amount of time undertaken.

Results in relation to listed building applications were significantly affected last year due to staff sickness which required Cadw to authorise all LBC for the Authority for a period of more than 6 months.

It is also apparent that Carmarthenshire receives the third highest number of planning applications of all the LPAs in Wales. Consideration needs to be given as to whether the service is adequately resourced to deal with this level of planning applications – particularly in terms of input from specialist staff (Highways, Ecology, Drainage, Legal etc.).

Quality

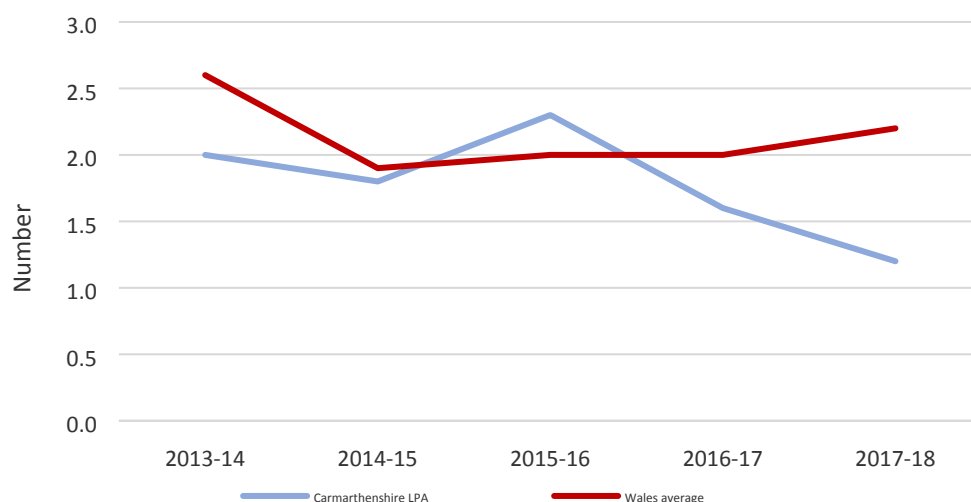
The next section focuses on the quality of the overall decision made – did we make the right decision? How did we do at appeal? An overall commentary on the next few sets of data (Figures 8-9) can be found at the end of this section on efficiency (page 41).

In 2017-18, our Planning Committee made 88 planning application decisions during the year, which equated to 6% of all planning applications determined (the same as 2016/17). Across Wales 7% of all planning application decisions were made by planning committee.

16% of these member-made decisions went against officer advice. This is double that of 2016/17. This compared to 9% of member-made decisions across Wales. This equated to 1% of all planning application decisions going against officer advice; 0.6% across Wales.

In 2017-18 we received 17 appeals against our planning decisions, which equated to 1.2 appeals for every 100 applications received. Across Wales 2.2 appeals were received for every 100 applications. Figure 8 shows how the volume of appeals received has changed since 2016-17 and how this compares to Wales.

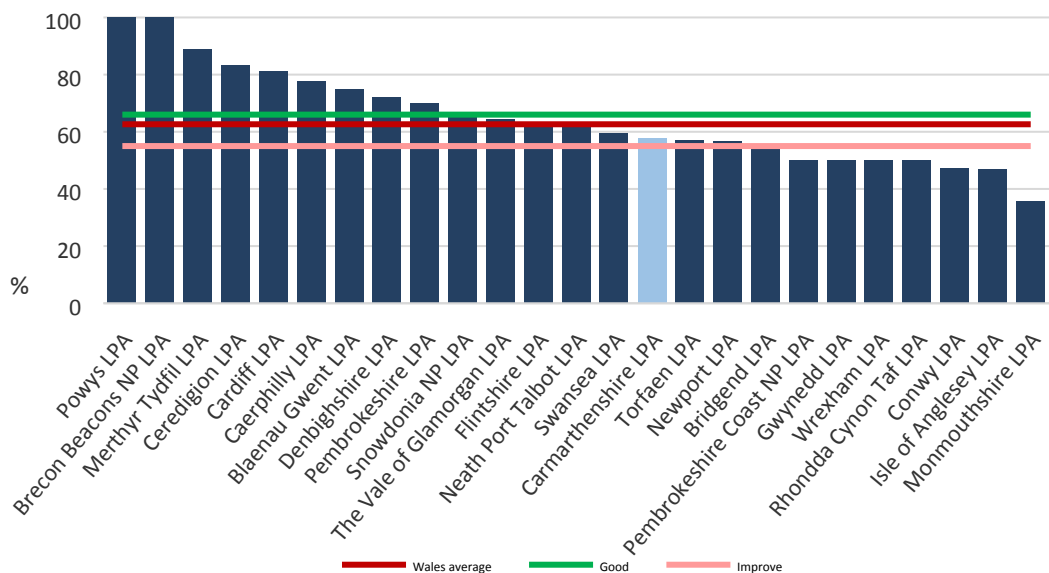
Figure 8: Number of appeals received per 100 planning applications



Over the same period the percentage of planning applications approved decreased from 86% to 85%.

Of the 19 appeals that were decided during the year, 58% were dismissed. As Figure 9 shows, this was lower than the percentage of appeals dismissed across Wales as a whole and was below the 66% target.

Figure 9: Percentage of appeals dismissed, 2017-18



During 2017-18 we had no applications for costs at a section 78 appeal upheld.

The above section shows that generally Carmarthenshire experiences a lower rate of appeals being submitted. This is likely to be due to continued high level of approval rate compared to many other LPAs (85%).

3 of the 8 appeals that were upheld were refused following the officer’s recommendation to approve. Of the appeals received that were dismissed the level of dismissal remains below the Welsh average.

Engagement

The next section sets out how we provide for engagement.

We are:

- one of 24 LPAs that allowed members of the public to address the Planning Committee; and
- one of 21 LPAs that had an online register of planning applications.

As Table 2 shows, 70% of respondents to our 2017-18 customer survey agreed that the LPA gave good advice to help them make a successful application. This has improved from 64% during the previous year.

Table 2: Feedback from our 2017-18 customer survey

Respondents who agreed that:	Carmarthenshire LPA %	Wales %
The LPA gave good advice to help them make a successful application	70	60
They were listened to about their application	62	60

Overall general feedback on the Service remains above the Welsh average on most categories surveyed. The Head of Service and Development Management and Built Heritage Manager will further discuss these results with Senior development Management Officers and teams to look at areas for further improvement.

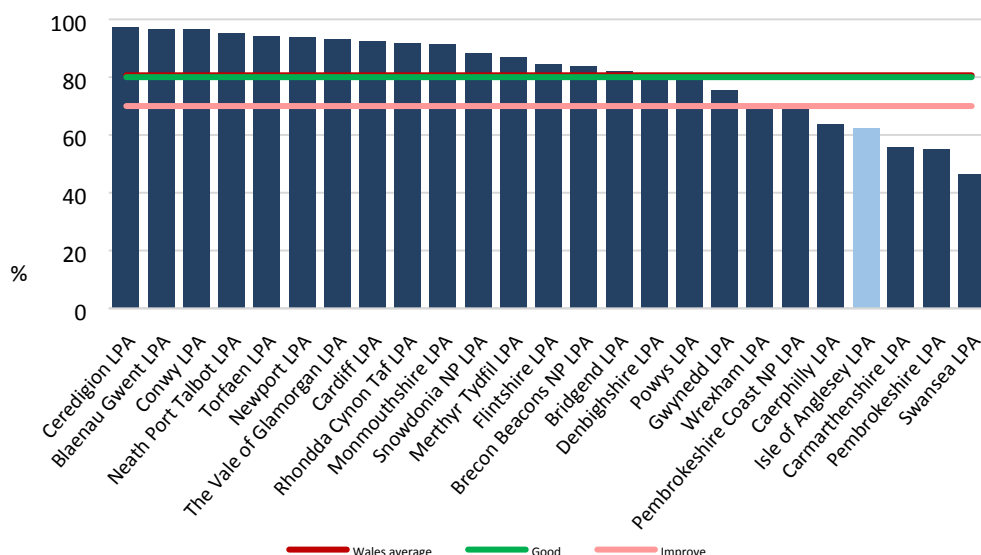
Enforcement

An overall commentary on the next few sets of data (Figures 10) can be found at the end of this Section on Enforcement (page 45).

In 2017-18 we investigated 372 enforcement cases, which equated to 2 per 1,000 population. This compared to 2 enforcement cases investigated per 1,000 population across Wales.

We investigated 56% of these enforcement cases within 84 days. Across Wales 81% were investigated within 84 days. Figure 10 shows the percentage of enforcement cases that were investigated within 84 days across all Welsh LPAs.

Figure 10: Percentage of enforcement cases investigated within 84 days, 2017-18



A new Enforcement team is being established during 2017/18. The Senior Officer along with their new team will need to consider any further improvements which could be possible in relation to performance in general.

ANNEX A - PERFORMANCE FRAMEWORK

OVERVIEW

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	Carmarthens hire LPA LAST YEAR	Carmarthens hire LPA THIS YEAR
Plan making						
Is there a current Development Plan in place that is within the plan period?	Yes		No	Yes	Yes	Yes
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+	67	N/A	N/A
Annual Monitoring Reports produced following LDP adoption	Yes		No	Yes	N/A	N/A
The local planning authority's current housing land supply in years	>5		<5	7 of 25	4.1	4.2
Efficiency						
Percentage of "major" applications determined within time periods required	>60	50-59.9	<50	67.4	16	25
Average time taken to determine "major" applications in days	Not set	Not set	Not set	240.1	567	466
Percentage of all applications determined within time periods required	>80	70-79.9	<70	88.5	70	71
Average time taken to determine all applications in days	<67	67-111	112+	80.7	95	100
Percentage of Listed Building Consent applications determined within time periods required	Not set	Not set	Not set	65.4	-	43
Quality						
Percentage of Member made decisions against officer advice	<5	5-9	9+	8.6	8	16
Percentage of appeals dismissed	>66	55-65.9	<55	62.6	60	58
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2+	0	1	0
Engagement						

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	Carmarthens hire LPA LAST YEAR	Carmarthens hire LPA THIS YEAR
Does the local planning authority allow members of the public to address the Planning Committee?	Yes		No	Yes	Yes	Yes
Does the local planning authority have an officer on duty to provide advice to members of the public?	Yes		No	Yes	Yes	Yes
Does the local planning authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?	Yes	Partial	No	Yes	Yes	Yes
Enforcement						
Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	>80	70-79.9	<70	80.6	67	56
Average time taken to take positive enforcement action	Not set	Not set	Not set	184.6	134	No Data

SECTION 1 – PLAN MAKING

Indicator	01. Is there a current Development Plan in place that is within the plan period?	
“Good”	“Fair”	“Improvement needed”
A development plan (LDP or UDP) is in place and within the plan period	N/A	No development plan is in place (including where the plan has expired)

Authority’s performance	Yes
The LDP was adopted on 10 December 2014, and provides an up to date and robust land use framework.	

Indicator	02. LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	
“Good”	“Fair”	“Improvement needed”
The LDP is being progressed within 12 months of the dates specified in the original Delivery Agreement	The LDP is being progressed within between 12 and 18 months of the dates specified in the original Delivery Agreement	The LDP is being progressed more than 18 months later than the dates specified in the original Delivery Agreement

Authority’s performance	N/A
The LDP was adopted on 10 December 2014. A review has commenced and the Delivery Agreement was approved by Welsh Government late June 2018.	

Indicator	03. Annual Monitoring Reports produced following LDP adoption	
“Good”		“Improvement needed”
An AMR is due, and has been prepared		An AMR is due, and has not been prepared

Authority’s performance	N/A
<p>The Annual Monitoring Report has been produced, and will be submitted to the Welsh Government by 31 October 2018. Approved at Council on the 10th October 2018.</p>	

Indicator	04. The local planning authority's current housing land supply in years	
“Good”		“Improvement needed”
The authority has a housing land supply of more than 5 years		The authority has a housing land supply of less than 5 years

Authority’s performance	4.2
<p>This matter is discussed within the 2017/18 LDP Annual Monitoring Report. The issues surrounding the levels of a 5 year supply will be considered and addressed as part of the review into the LDP.</p> <p>The below 5 year supply is an issue common to most LPAs across Wales.</p> <p>It should be noted that due to data availability across Wales that the result in the APR is always 1 year out and that the above result is that for 31st March 2017.</p>	

SECTION 2 - EFFICIENCY

Indicator	05. Percentage of "major" applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
More than 60% of applications are determined within the statutory time period	Between 50% and 60% of applications are determined within the statutory time period	Less than 50% of applications are determined within the statutory time period

Authority's performance	25
<p>Commentary has been supplied in the Efficiency section of the APR on this result (see page 25).</p> <p>The commentary recognises the need for the LPA to make better use of the provisions of agreeing an 'extension of time' with an applicant. This will should further improve the results under this measure.</p>	

Indicator	06. Average time taken to determine "major" applications in days	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	466
<p>No Benchmark has been set to date for this Indicator by Welsh Government.</p> <p>Commentary has been supplied in the Efficiency section of the APR on this result (see page 27).</p>	

Indicator	07. Percentage of all applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
More than 80% of applications are determined within the statutory time period	Between 70% and 80% of applications are determined within the statutory time period	Less than 70% of applications are determined within the statutory time period

Authority's performance	71
<p>Performance is below the Wales average of 88.5%.</p> <p>Commentary has been supplied in the Efficiency section of the APR on this result (see page 27).</p> <p>The commentary recognises the need for the LPA to make better use for the new provisions of agreeing an 'extension of time' with an applicant. This will further improve the results under this measure.</p>	

Indicator	08. Average time taken to determine all applications in days	
"Good"	"Fair"	"Improvement needed"
Less than 67 days	Between 67 and 111 days	112 days or more

Authority's performance	100
<p>Commentary has been supplied in the Efficiency section of the APR on this result (see page 25).</p>	

Indicator	08a. Percentage of Listed Building Consent applications determined within time periods required	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	43
<p>Due to staff sickness of Officer with delegation over a significant part of this year all LBC had to be referred to Cadw for approval. This inevitably increased the amount of time taken to issue a determination.</p>	

SECTION 3 - QUALITY

Indicator	09. Percentage of Member made decisions against officer advice	
"Good"	"Fair"	"Improvement needed"
Less than 5% of decisions	Between 5% and 9% of decisions	9% or more of decisions

Authority's performance	16
<p>Performance is lower than the Wales average of 8.6% of decision made by Members against officer advice for 2017/18.</p> <p>Where Planning Committee go against Officer recommendation, the reasons for which (including policy basis) are included within the Council minutes. The LPA is making greater use of the allocated Member training events to increase awareness in relation to the Committee decision making.</p>	

Indicator	10. Percentage of appeals dismissed	
"Good"	"Fair"	"Improvement needed"
More than 66% (two thirds) of planning decisions are successfully defended at appeal	Between 55% and 66% of planning decisions are successfully defended at appeal	Less than 55% of planning decisions are successfully defended at appeal

Authority's performance	58

Indicator	11. Applications for costs at Section 78 appeal upheld in the reporting period	
“Good”	“Fair”	“Improvement needed”
The authority has not had costs awarded against it at appeal	The authority has had costs awarded against it in one appeal case	The authority has had costs awarded against it in two or more appeal cases

Authority’s performance	0

SECTION 4 – ENGAGEMENT

Indicator	12. Does the local planning authority allow members of the public to address the Planning Committee?	
“Good”		“Improvement needed”
Members of the public are able to address the Planning Committee		Members of the public are not able to address the Planning Committee

Authority’s performance	Yes
Carmarthenshire LPA allow members of the public to address the Planning Committee.	

Indicator	13. Does the local planning authority have an officer on duty to provide advice to members of the public?	
“Good”		“Improvement needed”
Members of the public can seek advice from a duty planning officer		There is no duty planning officer available

Authority’s performance	Yes
Whilst not having a formal “duty officer” system, all officers are available to deal with general public enquiries/queries.	

Indicator	14. Does the local planning authority's web site have an online register of planning applications, which members of the public can access track their progress (and view their content)?	
"Good"	"Fair"	"Improvement needed"
All documents are available online	Only the planning application details are available online, and access to other documents must be sought directly	No planning application information is published online

Authority's performance	Yes
The LPA publish all details relating to a Planning Application on the website of Carmarthenshire County Council.	

SECTION 5 – ENFORCEMENT

Indicator	15. Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	
“Good”	“Fair”	“Improvement needed”
More than 80% of enforcement cases are investigated in 84 days	Between 70% and 80% of enforcement cases are investigated in 84 days	Less than 70% of enforcement cases are investigated in 84 days

Authority’s performance	56
<p>A new Enforcement Team has been established during this year. Additionally there was a significant period of time where one of the Officer posts remained vacant. Both these matters have impacted on morale during the year. The new team is now established (November 2017) and are looking at ways that they can improve enforcement processes within the County.</p>	

Indicator	16. Average time taken to take positive enforcement action	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	No Data (see commentary below)
<p>A new Enforcement Team has been established during this year. Additionally there was a significant period of time where one of the Officer posts remained vacant. Both these matters have impacted on morale during the year. The new team is now established (November 2017) and are looking at ways that they can improve enforcement processes within the County.</p> <p>The measurement of looking at the average time taken to take positive enforcement action is something that is relatively new in terms of measuring the enforcement service. To date, it is a figure that has been encompassed within the wider indicator above (15) in terms of measuring performance against the established 84 day benchmark. With the development of the new database for Planning, there will be facility to interrogate and measure data more forensically, and this will form part of future Performance Indicators.</p>	

SECTION 6 – SUSTAINABLE DEVELOPMENT INDICATORS

The purpose of the Sustainable Development Indicators is to measure the contribution the planning system makes to sustainable development in Wales.

The Sustainable Development Indicators will be used to measure the progress against national planning sustainability objectives, set out in Planning Policy Wales, and can be used to demonstrate to our stakeholders the role and scope of the planning system in delivering wider objectives. The information will also be useful to local planning authorities to understand more about the outcomes of the planning system and help inform future decisions.

Authority's returns	<p>In quarter 1 - data returned in part (see individual SD below)</p> <p>In quarter 2 - data returned in part (see individual SD below)</p> <p>In quarter 3 - data returned in part (see individual SD below)</p> <p>In quarter 4 - data returned in part (see individual SD below)</p>
<p>The Authority has returned on a quarterly basis in part the data sought as part of the SD indicators process.</p> <p>The returns have been as follows:</p> <ol style="list-style-type: none"> 1. Returns complete. 2. Returns complete. 3. Returns complete. 4. Returns complete. 5. Data not returned. The LPA don't currently have a system in place to monitor total land area of brownfield/greenfield developments. 6. Data not returned. The LPA don't currently have a system in place to monitor total area gained/lost in relation to open space. 7. Data not returned. Part A – data is however included in the APR. Part B isn't applicable as the LPA have not adopted CIL. <p>Much of the data specified for collection was not readily available for the following reasons:</p> <ul style="list-style-type: none"> • Time required to update planning application systems: The LPA currently use MIS LGS (specifically the Headway product) to administer its planning application process. The LPA were advised in mid-2014 that MIS LGS was being bought out. At that time the LPA were advised that the Headway product would be discontinued over the course of the next couple of years. The LPA have therefore been working towards a replacement solution. This should be resolved by the end of this financial year, with the new product being geared up to dealing with monitoring far more effectively than its predecessor (including SD indicators). In the interim Headway remains the system depended upon by the LPA. It has not been possible for the LPA to acquire or require changes to Headway in the interim – upgrades/modifications were not available due to the product being discontinued. This has therefore affected the logging and collecting of SD and will continue to do so until full migration on to a new system has been successfully completed. • The LPA acknowledges that any new system will not be in place to fully capture details for the APR 2019/20. 	

Indicator	SD1. The floorspace (square metres) granted and refused planning permission for new economic development on allocated employment sites during the year.
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Granted (square metres)	
Authority's data	2,661

Refused (square metres)	
Authority's data	200

The figure set out above in relation to applications granted is mainly accounted for by 2 large applications:

W/36134 - Change of use from warehouse to a mixed use of warehouse, business and general industrial at 2 - 7 tir owen industrial estate, station road, st clears, sa33 4bp – 1348.5 sqm (b1, b2 & b8)

W/35655 - Construction of a tyre recycling warehouse with associated offices, operational yard, storage compounds and ancillary infrastructure at land off alltynap road, johnstown, carmarthen, sa31 3qy – 710 sqm (b8)

Indicator	SD2. Planning permission granted for renewable and low carbon energy development during the year.
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Granted permission (number of applications)	
Authority's data	5

Granted permission (MW energy generation)	
Authority's data	4

The 6 applications permitted are made up of the following:

- 1 Hydroelectric (1.80 mw)
- 3 Wind (1.25 mw)
- 1 Biomass (0.50 mw)

Indicator	SD3. The number of dwellings granted planning permission during the year.
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Market housing (number of units)	
Authority's data	590

Affordable housing (number of units)	
Authority's data	145

Affordable Housing is defined in Section 5, Annex B, of TAN 2:
[Technical Advice Note 2: Planning and Affordable Housing](#)

Affordable Housing - housing provided to those whose needs are not met by the open market. Affordable housing should:

- meet the needs of eligible households, including availability at low enough cost for them to afford, determined with regard to local incomes and local house prices; and
- include provision for the home to remain affordable for future eligible households, or if a home ceases to be affordable or staircasing to full ownership takes place, any subsidy should generally be recycled to provide replacement affordable housing.

This breaks down into two sub-categories:

- **social rented housing** - provided by local authorities and registered social landlords where rent levels have regard to the Assembly Government's guideline rents and benchmark rents; and
- **intermediate housing** - where prices or rents are above those of social rented housing but below market housing prices or rents. This can include equity sharing schemes (for example Homebuy). Intermediate housing differs from low cost market housing, which the Assembly Government does not consider to be affordable housing for the purpose of the land use planning system.

Indicator	SD4. Planning permission granted and refused for development in C1 and C2 floodplain areas during the year.
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Number of residential units (and also hectares of non-residential units) which were GRANTED permission	
Authority's data	Residential C=19 Non- Residential C1 = 0.30 and C2 =7.73

Residential:

E/35529 - erection of one, two-storey four bed house at plot 4, llys y nant, king's road, llandybie, ammanford, sa18 2tl - 1 unit

E/36618 - application for replacement dwelling at church bank, llandoverly, sa20 0ba - 1 unit

W/34844 - proposed demolition of former public conveniences and erection of new dwelling, including change of use of land at felindre public convenience, velindre, llandysul, sa44 5ug - 1 unit

W/34854 - new four bedroom dwelling at plot at trevaughan lodge, whitland, sa34 0qp - 1 unit

W/34703 - change of use of garage to form single dwelling (resubmission of w/34136 refused 21/09/16) - maesydderwen, pentrecwrt, llandysul, sa44 5ax - 1 unit

S/36519 - conversion of the maltings building and barley kiln and the former buckleys brewery site in llanelli to provide 20 no. Residential apartments together with the development of 6 no. 3 bedroom residential dwellings and the creation of a riverside walk, with associated landscaping, parking and infrastructure works at the maltings, (former buckleys brewery site), llanelli, sa15 3ph - 3 units

S/35278 - proposed construction of 2 no. Semi-detached houses with attached garages at land opposite 164, old castle road, llanelli, sa15 2sw - 2 units

W/35311 - a one planet development that includes a zero carbon dwellinghouse, root cellar, woodshed and solar kilns, an agricultural workshop, goat shed, sheep barn, round shelter and 2 polytunnels at land formerly part of parc y llain, llanglydwen, sa34 0jx - 1 unit

Non – Residential C1

S/36248 - external storage facility at excel precision engineering services, trostre industrial park, llanelli, sa14 9uu - (0.006 ha)

S/34286 - construction of a retail convenience shop and cafe, with associated access and landscaping works at land off heol y bwch and yspitty road, bynea, llanelli, sa14 9td - (0.026 ha)

S/33856 - proposed development of a new a3 unit (drive thru) at land near staff parking area, r/o parc trostre, llanelli - (0.27 ha)

Non – Residential C2

W/35331 - demolition of the former jolly tar public house and its ancillary structures and replacement by a new building which will provide three floors of office accommodation together with a lower ground floor for related storage purposes at the former jolly tar, the quay, carmarthen, sa31 3ln - (0.047 ha)

E/35306 - change of use from a workshop/storage area to a farm animal veterinary surgery facility (d1) at crown garage, station road, llangadog, sa19 9lt - (0.008 ha)

E/35395 - retrospective permission for already constructed brewery shed in situ on land at evan evans brewery at 1 rhosmaen street, llandeilo, sa19 6lu - (0.64 ha)

E/36052 - change of use of building and premises from residential to b1 office use. The proposals also include the erection of 3no. External signs and the erection of a steel frame workshop and store at saville house, heol cennen, ffairfach, llandeilo, sa19 6st - (0.068 ha)

S/35738 - construction of a new single storey innovation and performance building to include a sports hall, performance space and associated facilities at coleg sir gar graig campus, sandy road, llanelli, sa15 4dn - (0.212 ha)

W/34226 - 1. Change of use and alterations to redundant buildings attached to bishop's palace 2. External repairs to the lodge 3. Restoration of the walled garden 4. Reconstruction of garden folly 5. Erection of woodland shelter 6. Walled garden and pleasure garden restoration 7. Car park improvements 8. Creation of footpath around bishops meadow at carmarthen museum, high street, abergwili, carmarthen, sa31 2jg - (5.9 ha)

E/35128 - conversion and use of an existing barn to a mix of tourism accommodation and agricultural use at stable barn, 5 cefngornoeth farm, llangadog, sa19 9an – allowed on appeal - (0.1 ha)

E/34199 - appearance / landscaping / layout / scale (reserved matters to outline e/29293 for a new religious building and associated car parking, granted on 04/02/2016 at former ncb workshops, pontyclerc, penybank, ammanford, sa18 3rb - (0.76 ha)

Number of residential units (and also hectares of non-residential units) which were REFUSED permission on flood risk grounds

Authority's data

Residential C2 = 3
Non-Residential C2=0.02

Data on hectares is not available.

Residential C2

E/35478 - repair and conversion of salem chapel in to 1 residential dwelling at salem chapel, campbell road, llandybie, ammanford, sa18 3up - 1 unit

S/35089 - proposed removal of existing library and replacement with 2 detached dwellings at the former library, maes road, llangennech, llanelli, sa14 8ug - 2 units
Non-Residential C2

E/36676 - erection of a steel framed building 20m x 10m x 4.5m, the building will be used for the assembly of grp units pre delivery to clients at enclosure tec limited, rainbows end, shands road, ammanford, sa18 3qu - (0.02 ha)

Indicator	SD5. The area of land (ha) granted planning permission for new development on previously developed land and greenfield land during the year.
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Previously developed land (hectares)	
Authority's data	Data not available

Greenfield land (hectares)	
Authority's data	Data not available

Data not available. See explanation as part of introduction to SD Section above.

Indicator	SD6. The area of public open space (ha) that would be lost and gained as a result of development granted planning permission during the quarter.
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Open space lost (hectares)	
Authority's data	Data not available

Open space gained (hectares)	
Authority's data	Data not available

Data not available. See explanation as part of introduction to SD Section above.

Indicator	SD7. The total financial contributions (£) agreed from new development granted planning permission during the quarter for the provision of community infrastructure.
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Gained via Section 106 agreements (£)	
Authority's data	£843,773.71

Gained via Community Infrastructure Levy (£)	
Authority's data	Not applicable

Gained via Section 106 agreements: Although data has not been submitted to WG as part of the quarterly returns to date it is now possible to collect this information and therefore it has been included in this APR.

Community Infrastructure Levy: The LA do not currently operate a CIL regime. The second part of SD7 is therefore not applicable.