

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

DYDD MERCHER, 6 RHAGFYR 2017

AT: HOLL AELODAU'R PWYLLGOR CYNLLUNIO

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R
PWYLLGOR CYNLLUNIO A GYNHELIR YN **Y SIAMBR, NEUADD Y SIR** AM
10.00 AM, DYDD IAU, 14EG RHAGFYR, 2017 ER MWYN CYFLAWNI'R
MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

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PWYLLGOR CYNLLUNIO 20 AELOD

Y GRŴP PLAID CYMRU – 10 AELOD

1. Y Cynghorydd Liam Bowen
2. Y Cynghorydd Mansel Charles Aelod o Gyngor Cymuned Llanegwad
3. Y Cynghorydd Tyssul Evans Aelod o Gyngor Cymuned Llangyndeyrn
4. Y Cynghorydd Jeanette Gilasbey Aelod o Gyngor Tref Cydweli
5. Y Cynghorydd Ken Howell
6. Y Cynghorydd Carys Jones
7. Y Cynghorydd Alun Lenny Aelod o Gyngor Tref Caerfyrddin
(Cadeirydd)
8. Y Cynghorydd Jean Lewis
9. Y Cynghorydd Gareth Thomas
10. Y Cynghorydd Eirwyn Williams

Y GRŴP LLAFUR – 6 AELOD

1. Y Cynghorydd Suzy Curry
2. Y Cynghorydd Penny Edwards
3. Y Cynghorydd John James Aelod o Gyngor Tref Pen-bre a Phorth Tywyn
4. Y Cynghorydd Dot Jones Aelod o Gyngor Cymuned Llannon
5. Y Cynghorydd Ken Lloyd Aelod o Gyngor Tref Caerfyrddin
6. Y Cynghorydd Kevin Madge Aelod o Gyngor Tref Cwmaman

Y GRŴP ANNIBYNNOL – 4 AELOD

1. Y Cynghorydd Sue Allen Aelod o Gyngor Tref Hendy-Gwyn
2. Y Cynghorydd Ieuan Davies
3. Y Cynghorydd Joseph Davies
4. Y Cynghorydd Irfon Jones (Is-Cadeirydd) Aelod o Gyngor Cymuned Bronwydd

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

AGENDA

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2. DATGAN BUDDIANNAU PERSONOL.
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Mae'r dudalen hon yn wag yn fwriadol

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 14 RHAGFYR 2017
ON 14 DECEMBER 2017**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal
Dwyrain/
Area East*



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yn rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 DECEMBER 2017
REPORT OF:	HEAD OF PLANNING

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REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
	There were no applications recommended for refusal.

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/33367
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Application Type	Full Planning
Proposal & Location	SINGLE 100KW WIND TURBINE WITH ASSOCIATED INFRASTRUCTURE AT LAND NORTH OF BRYNDU ISAF, MAESYBONT, CARMARTHENSHIRE, SA14 7SS

Applicant(s)	NORVENTO WIND ENERGY - TREVOR HOWE, UNIT 1.32, 111 POWER ROAD, LONDON, W4 5PY
Agent	TNEI - LIZ RUSSELL, MILBURN HOUSE, DEAN STREET, NEWCASTLE-UPON-TYNE, NE1 1LE
Case Officer	Ceri Davies
Ward	Llanfihangel Aberbythych
Date of validation	16/02/2016

CONSULTATIONS

Llanfihangel Aberbythych Community Council – Has objected to this application, citing the following reasons:

- Visual impact on the area
- Impact on the village of Carmel

Local Member - County Councillor Cefin Campbell has requested the application be presented before Planning Committee on the basis that he has received representations from third parties citing concerns over the potential visual impact of the turbine.

Head of Public Protection – Has no objections to the proposal subject to the imposition of suitable conditions relating to the compliance with prescribed noise levels.

Head of Transport – Has no adverse comments.

Public Rights of Way Officer – Has advised on the proximity of the proposal in relation to the nearest public rights of Ways and has not expressed any concerns.

Ministry of Defence – Has no objections to the proposal.

Joint Radio Company – Has no objections to the proposal.

Ofcom – Has provided general guidance in relation this proposal

Civil Aviation Authority – Has provided general guidance in relation to this proposal.

Natural Resources Wales – No adverse comments raised subject to standard advisory notes in relation to pollution prevention. NRW have recommended consultation with the LPA Ecologist.

Dyfed Archaeological Trust – Has not commented on the application to date.

Neighbours/Public – The application has been advertised by means of Site Notice; no letters of representation have been submitted to date.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

This application has been brought before Planning Committee at the request of the Local Member who has cited concerns over the potential visual impact of the wind turbine on the wider area.

THE SITE

The application site is located within a large rectangular agricultural field forming part of Bryndu Isaf Farm; Bryndu Isaf lies approximately ½ mile east of the village of Maesybont; and ¾ mile west of the village of Carmel. The site selected for the siting of the wind turbine is located 160metres north of the farmhouse and support buildings associated with Bryndu Isaf. The farm is accessed off an unclassified road which links the B4297 with the C2151 classified road. The site is elevated above the surrounding land on a small plateau. The nearest residential property aside from the applicant's is the farmhouse and associated buildings belonging to Bryndu Uchaf Farm located approximately 500m south-east of the proposed turbine. The surrounding area is characterised by improved agricultural land bound by semi-improved hedgerow, isolated dwellings, farmsteads and small blocks of mature woodland. The nearest Public Rights of Way (PROW) footpath is located 390m to the north of the proposed turbine location.

The site comprises a proposed access track shaded orange on the site plans, which connects to an area proposed for the turbine and ancillary equipment housing/hardstanding area.

THE PROPOSAL

The proposal comprises a 41.5m high, 100kw wind turbine along with access track, sub-station, foundations and hardstanding area. The wind turbine generator will have a hub height of 29.5m and rotor diameter of 24m. The meter housing will be located immediately adjacent to the turbine.

The application has been accompanied by a suite of documentations and plans which include a planning statement, Landscape & Visual Impact Assessment (LVIA) Shadow Flicker Report, noise assessment and ecological appraisals; in addition, a selection of photomontages and wirelines.

PLANNING POLICY

The application falls to be considered against the following Local Development Plan (LDP) policies:

Policy SP2 (Climate Change) which sets out the criteria for development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported.

Policy SP11 (Renewable Energy & Energy Efficiency) which states that development proposals which incorporate energy efficiency measures and renewable energy production technologies will be supported in areas where the environmental and cumulative impacts can be addressed satisfactorily. The policy also states that such developments should not cause demonstrable harm to residential amenity and will be acceptable within the landscape.

SP14 (Protection and Enhancement of the Natural Environment) which states that development should reflect the need to protect, and wherever possible enhance the County's natural environment; and all development proposals should be considered in accordance with national guidance/legislation and the policies and proposals of this Plan, with due consideration given to areas of nature conservation value, the countryside, landscapes and coastal areas, including statutory designated sites including Ramsar sites, SPAs, SACs, SSSIs and National Nature Reserves; sites of biodiversity and nature conservation value; regional and locally important sites (and their features) including local Nature reserves; area of identified landscape and seascape quality; features which contribute to local distinctiveness, nature conservation value or the landscape; the open countryside; the best and most versatile agricultural land; (Grade 2 and 3a); and natural assets: including air, soil (including high carbon soils) controlled waters and water resources. (See Policies EP1 and EP2)

Policy RE2 (Local, Community and Small Wind Farms) which states that local, Community and small wind farms or individual turbines will be permitted provided the following criteria can be met in full:

- a) The development will not have an unacceptable impact on visual amenity or landscape character through: the number, scale, size, design and siting of turbines and associated infrastructure
- b) The development will not have an unacceptable cumulative impact in relation to existing wind turbines and other renewable energy installations and those which have permission;
- c) The siting, design, layout and materials used should be sympathetic to the characteristics of the land-form, contours and existing features of the landscape;
- d) The development would not cause demonstrable harm to statutorily protected species, and habitats and species identified in the Local Biodiversity Action Plan;
- e) Turbines and their associated structures will not be sited in, or impact upon archaeological resources, the setting and integrity of Conservation Areas, Listed Buildings or other areas of historical value;
- f) Proposals will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public;
- g) No loss of public accessibility to the area, and existing bridleways and footpaths will be safeguarded from development with no permanent loss to their length and quality;

- h) Turbines and associated infrastructure will, at the end of the operational life of the facility, be removed and an appropriate land restoration and aftercare scheme agreed;
- i) The development will not result in significant harm to the safety or amenity of sensitive receptors and will not have an unacceptable impact on roads, rail or aviation safety;
- j) The development will not result in unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems.

In addition to the above specified conditions, the application also falls to be considered against the General policies of the Local Plan as well as the following specified national policies/guidance.

National Policy is provided by Planning Policy Wales Edition 7 July 2014 and TAN 8 as follows:-

12.8 Sustainable Energy

12.8.1 The UK is subject to the requirements of the EU Renewable Energy Directive. These include a UK target of 15% of energy demand from renewables by 2020. The UK Renewable Energy Roadmap sets the path for the delivery of these targets, promoting renewable energy to reduce global warming and to secure future energy supplies. The Welsh Government is committed to playing its part by delivering an energy programme which contributes to reducing carbon emissions as part of our approach to tackling climate change (see 4.5) whilst enhancing the economic, social and environmental wellbeing of the people and communities of Wales in order to achieve a better quality of life for our own and future generations. This is outlined in the Welsh Government's Energy Policy Statement Energy Wales: A Low Carbon Transition (2012).

12.8.2 Planning policy at all levels should facilitate delivery of both the ambition set out in Energy Wales: A Low Carbon Transition and UK and European targets on renewable energy. The Renewable Energy Directive contains specific obligations to provide guidance to facilitate effective consideration of renewable energy sources, high-efficiency technologies and district heating and cooling in the context of development of industrial or residential areas, and (from 1 January 2012) to ensure that new public buildings, and existing public buildings that are subject to major renovation fulfil an exemplary role in the context of the Directive. The issues at the heart of these duties are an established focus of planning policy in Wales, and in this context both local planning authorities and developers should have regard in particular to the guidance contained in Technical Advice Note 8: Planning for Renewable Energy, TAN22 and Planning for Renewable Energy – A Toolkit for Planners. The Welsh Government will however consider the preparation of further targeted guidance where appropriate.

12.8.6 The Welsh Government's aim is to secure an appropriate mix of energy provision for Wales which maximises benefits to our economy and communities, whilst minimising potential environmental and social impacts. This forms part of the Welsh Government's aim to secure the strongest economic development policies to underpin growth and prosperity in Wales recognising the importance of clean energy and the efficient use of natural resources, both as an economic driver and a commitment to sustainable development.

12.8.9 Local planning authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy (see 4.4.3) to help to tackle

the causes of climate change (see 4.7.3). Specifically, they should make positive provision by:

- considering the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and ensuring that development plan policies enable this contribution to be delivered;
- ensuring that development management decisions are consistent with national and international climate change obligations, including contributions to renewable energy targets and aspirations;
- recognising the environmental, economic and social opportunities that the use of renewable energy resources can make to planning for sustainability (see Chapter 4); and
- ensuring that all new publicly financed or supported buildings set exemplary standards

12.8.10 At the same time, local planning authorities should:

- ensure that international and national statutory obligations to protect designated areas, species and habitats and the historic environment are observed;
- ensure that mitigation measures are required for potential detrimental effects on local communities whilst ensuring that the potential impact on economic viability is given full consideration; and
- encourage the optimisation of renewable and low carbon energy in new development to facilitate the move towards zero carbon buildings (see 4.11 and 4.12).

12.10.1 In determining applications for renewable and low carbon energy development and associated infrastructure local planning authorities should take into account:

- the contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development;
- the impact on the natural heritage (see 5.5), the Coast (see 5.6) and the Historic Environment (see 6.5);
- the need to minimise impacts on local communities to safeguard quality of life for existing and future generations;
- ways to avoid, mitigate or compensate identified adverse impacts;
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts (see 4.5);
- grid connection issues where renewable (electricity) energy developments are proposed; and
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal

Consideration is also given to Planning Policy Wales - Technical Advice Note (TAN) 8 - Planning for Renewable Energy. At para 2.13 it states that *“most areas outside of SSAs should remain free of large wind power schemes”*...and that...*“local authorities may wish to consider the cumulative impact of small schemes in areas outside of SSAs and establish*

suitable criteria for separation distances from each other and from the perimeter of existing wind power schemes of the SSAs. In these areas, there is a balance to be struck between the desirability of renewable energy and landscape protection. Whilst that balance should not result in a severe restriction on the development of wind capacity, there is a case for avoiding a situation where wind turbines are spread across the whole of the county.”

Although no formal Supplementary Planning Guidance (SPG) on cumulative impact has been adopted by the Local Planning Authority (LPA), it has developed a guidance note internally for officers entitled *Pembrokeshire and Carmarthenshire: Cumulative Impact of Wind Turbines on and Landscape and Visual Amenity*. As the title suggests this document has been developed with Pembrokeshire and also the Pembrokeshire Coast National Park Authority who have both adopted the guidance as SPG. The guidance provides a classification of landscape types where turbines are contained within landscape character areas. It also provides guidance on how to assess cumulative impacts on visual amenity indicating that there are three main types of cumulative visual effect:

- In combination from one (static) viewpoint i.e. where more than one development can be seen within the observer’s arc of vision at the same time.
- In succession from one (static) viewpoint i.e. where the viewer has to turn to see a number of development around them.
- Sequential effects on a journey i.e. where more than one wind turbine development can be seen one after the other over a period of time by an observer moving through the landscape (para 4.1).

The guidance states that “the magnitude of the cumulative change will depend on the landscape context in which the development is viewed and the scale, nature, duration and frequency of combined and sequential views (para 4.4).

In relation to the effect on landscape character TAN 8 states: *‘the implicit objective ... is to maintain the integrity and quality of the landscape within National Parks/Areas of Outstanding Natural Beauty in Wales i.e. no change in landscape character from wind turbine development. In the rest of Wales outside the Strategic Search Areas the implicit objective is to maintain the landscape character ie no significant change in landscape character from wind turbine development. Within (and immediately adjacent to) the Strategic Search Areas, the implicit objective is to accept landscape change i.e. significant change in the landscape character from wind turbine development.’*

The following sections will assess the proposal against specific material planning considerations and will be followed by a balancing exercise which will conclude whether the proposal is acceptable or not at this location.

THIRD PARTY REPRESENTATIONS

The application has been advertised by means of Site Notice; whilst the Local member makes reference to third parties expressing concerns regarding this development, no correspondence has been received as a result of the public site notice. Llanfihangel Aberbythych Community Council has objected to the application on the basis that they consider the turbine if approved would have an unacceptable impact on the visual amenity and landscape character of the area as well as dominating the village of Carmel.

Landscape and Visual

On the basis of the community council objection and concerns highlighted by the local member over the visual impact of the proposed turbine, the Authority has scrutinised carefully the potential visual effect of the turbine at this location. In this regard the Authority's Landscape Officer has assessed the scheme in the context of its surroundings; and through appraisal of the submitted information, consideration of LANDMAP and landscape designations, as well as a site survey/visit.

The application site has been inspected from the nearest sensitive buildings, namely the adjacent farms, Bryndu Uchaf, Bryn yr Odyn and Y Ffynnon; it has also been inspected from the nearest built up residential areas, namely dwellings $\frac{3}{4}$ mile, south-east of the site, along Heol y Capel in the village of Carmel; and residential properties in the village of Maesybont, approximately $\frac{1}{2}$ away. From these inspections, the Landscape Officer acknowledges that the proposed scheme will form new, manmade moving elements within some views from residential properties and associated amenity space. He concludes that the location of the scheme, scale of the turbine model and its relation to the topography; other Operational Consented in Planning Development (OCPD); and the proximity and orientation in relation to the identified properties, and any intervening screening elements, is such, that the proposal is considered to result in impacts to residential visual amenity. The Authority has fully considered the impacts to residential visual amenity as identified in the Impact Table, compiled by the Landscape Officer, along with the additional information submitted as part of representations made by the Local Member and Community Council in the context of the relevant policy objectives. Overall, the Authority is satisfied that the nearest dwellings and those assessed from public vantage points will not be exposed to significant physical impacts from the turbine given the relative separation distance and scale of the development. Furthermore, owing to the separation distance between the application site and the village of Carmel, the authority contends that despite the claims of the Community Council, the turbine will not have a detrimental impact on the said village.

It is acknowledged that indirect impacts to landscape character will be caused by the physical presence of the proposed turbine from certain views, and this would result in effects upon the existing landscape character. Members will of course be mindful that wind turbine development inevitably results in changes to local landscape character through the introduction of new, manmade moving landscape elements. The significance of these changes in terms of magnitude and extent of effect have been assessed through appraisal of the submitted information, consideration of LANDMAP and landscape designations. The receiving landscape primarily consists of agricultural fields and scattered farmsteads. The Landscape Officer concludes that the scale of the turbine model is such that, potential impacts to existing landscape elements and features would not be expected to challenge the relevant policy objectives of the LDP to justifiably represent a reason for refusal of the application.

The Landscape Officer has advised that the proposed scheme will have a residual impact upon the landscape character of the immediate area. However, the location and scale of the turbine model and its relation to topography, other OCP development, and the predicted magnitude of effect in relation to the sensitivity of the receiving landscape, are such that the significance of impacts to landscape character, or areas designated for their landscape value, are not considered to represent a justifiable reason for refusal of the application against the relevant policy objectives of the LDP.

The significance of the impacts to local landscape character arising from the visual presence of the proposed turbine development have been considered as part of this application. Whilst these impacts may not be of a significance to justify an objection to the application, it

is considered that the proposed turbine development will result in residual adverse impacts to landscape character on a local scale. In view of the aforementioned, it is considered that the provision of a Landscape Compensation Scheme, which details measures to protect and enhance the existing landscape character of the area, and avoid any potential decline in the quality or quantity of those elements which contribute to landscape character, is fully justified in planning terms under the provisions of Policy GP1 and SP14 of the LDP. An appropriate condition will be imposed to ensure the submitted Landscape Compensation and Biodiversity Enhancement Scheme is fully implemented.

It is recommended that a Physical Landscape Mitigation Scheme [PLIMS] be submitted and an appropriate condition will be imposed accordingly. The PLIMS will need to be based upon a comprehensive assessment of, and provide mitigation for, all direct physical landscape impacts to existing landscape elements resulting from the proposed development at the site access from the public highway; within the application boundary; and within all other areas subject to any construction phase disturbance. In addition the PLIMS will need to provide details of protective measures; method statements; and landscape design, maintenance, and management proposals to deliver effective mitigation for all direct physical landscape impacts identified.

It is recommended that the proposal does not challenge LDP policies which seek to protect visual amenity. Furthermore the distance maintained from other neighbouring properties and the relative scale of the proposal will ensure that whilst there will be a degree of visual impact it will not cause significant adverse harm upon those living in the area. Whilst it is acknowledged that the proposal by its very nature will lead to a prominent alien man-made feature visible from the wider area, it is deemed that the energy benefits of the proposal outweigh this impact.

In terms of the cumulative visual impact, the number of existing and proposed wind turbines in the wider landscape is very low; the nearest operational single wind turbine is located in the village of Blaenau, approximately 4km south east of the application site. Planning permission was granted back in September 2016 for a wind turbine (classed as small) at Garn Lwyd, near Foelgastell, the said turbine would be approximately 3km west of Bryndu Isaf, however is not operational as of yet. There is one micro turbine at Ffynnon Goch, which is less than 1km away from Bryndu Isaf. It is considered that owing to the separation distance between the proposed turbine at Bryndu and the nearest operational turbine at Blaenau, this development if approved and subsequently implemented would not result in the immediate area being characterised by wind turbines and turning into a wind farm landscape.

Natural Resources Wales have advised that they are satisfied with the findings of the LVIA and agree that the proposal would not have a significant effect on the views, special qualities or setting of the Brecon Beacons National Park or a significant effect on the Tywi Valley Landscape of Outstanding Historic Interest.

To conclude this section therefore, it is considered that the wind turbine of a medium scale can be accommodated within the landscape without harming its qualities and the amenity of those that live within in it and use it.

Ecology

The site consists of improved grassland bounded by hedgerows, as confirmed by the ecological walkover survey. An area of Marshy Grassland occurs to the north but this will

remain unaffected by the proposals. A small area of improved grassland will be permanently lost this habitat is considered to be of negligible ecological significance.

The LPA's Planning Ecologist has raised no adverse comments but has advised that any proposal must include a fully integrated landscape compensation and biodiversity enhancement scheme; this scheme, Members are reminded, accompanied this submission. The scheme will deliver any required biodiversity mitigation and additionally provide biodiversity enhancement to the local area through the management or creation of wildlife habitats on site or elsewhere on the land holding. The aim of the scheme is to offset any long term residual/cumulative effects to biodiversity of a turbine in the landscape and provide enhancement in line with LDP policy.

NRW have reviewed the bat survey report and offer to objection to the proposed turbine

Noise

In terms of the potential noise impact, the submitted application has been accompanied by a noise survey; the Head of Public Protection has considered the findings of the said survey and offered no adverse comments. The Head of Public Protection advises that a suitable condition be imposed stipulating noise be limited to 35dB up to wind speeds of 12m/s at 10m height; this condition alone would offer sufficient protection and prevent any demonstrable harm to the amenity of any residents residing at any noise sensitive properties.

Transportation and Highway Safety

Subject to the imposition of recommended highway conditions, it is not considered that the proposal will give rise to any significant highway safety concerns and therefore the Head of Transport has raised no adverse comment

Shadow Flicker and Amenity

Whilst this hasn't been raised as a concern in this instance, Members will be mindful that shadow flicker can often be a concern when wind turbine applications are considered by the authority. Shadow flicker has been proven to only occur within ten rotor diameters of a wind turbine; the proposed turbine has a rotor diameter of 24m, and shadow flicker could therefore have potential occurrences within 240m. Only properties within 130 degrees either side of north, relative to the turbines, can be affected at these latitudes in the UK – turbines do not cast long shadows on their southern side (Planning practice guidance for renewable and low carbon energy, 2014). In this instance, there are no residential dwellings or other properties within 130 degrees either side of north; considering 240m around the turbines, therefore the Shadow Flicker Report accompanying this application concludes that shadow flicker is not predicted to occur at any residential receptors as no residential properties have been identified within 240m of the proposed wind turbine.

CONCLUSION

It is acknowledged that there will be an impact to the landscape character of the immediate area by the physical presence of the proposed turbine at this location. The significance of this change in terms of magnitude and extent of effect has been assessed through appraisal of the submitted information and a survey of the selected site within its surrounding context. It is concluded that the scale of the turbine model is such that, potential impacts to existing

landscape elements and features would not be expected to challenge the relevant policy objectives of the LDP to justifiably represent a reason for refusal of the application. On balance, having regard to all planning policies and material considerations, the proposal is considered to sit comfortably at this location without having a significant adverse impact upon the surrounding landscape, the amenities of occupiers and the ecological and cultural assets of the area. It will also have a positive impact upon the farm's energy needs, approval is therefore recommended.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby approved relates to the following schedule of plans /
 - Location Plan – 1:5,000 scale
 - Site Plan – 1:1250 scale
 - Block Plan – 1:1000 scale
received on 16 October 2015

 - Elevations – 1:100 scale
 - Shallow Foundation Plan – 1:10 and 1:60 scale
 - Shadow Flicker Plan – 1:2500 scale
 - Noise Contour Plan – 1:6000 scale
received on 20 October 2015
- 3 If the wind turbine hereby permitted ceases to operate for a continuous period of 6 months, unless otherwise approved in writing by the Local Planning Authority, a scheme for the decommissioning and removal of the wind turbine and any other ancillary equipment and structures relating solely to the wind turbine shall be submitted and approved in writing by the Local Planning Authority within 3 months of the end of the cessation period. The scheme shall include details for the restoration of the site. The scheme shall be implemented within 3 months of the date of its approval by the Local Planning Authority.
- 4 During the construction phases, no works or construction shall take place other than within the hours of 08:00 – 18:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays
- 5 To prevent any demonstrable harm to the amenity of residents, the rating level of noise immission from the wind turbine (including the application of any tonal penalty) should not exceed a sound pressure level not exceeding 35dB $L_{A90, 10 \text{ mins}}$, within the amenity space of any non-financially involved lawfully existing dwelling, between cut-in wind speeds and the wind speed corresponding to the turbines maximum sound power level, measured to a height of 10m.
- 6 To prevent any demonstrable harm to the amenity of any residents, the cumulative rating level of noise immissions from the wind turbine (including the application of any

tonal penalty), should not exceed a sound pressure level not exceeding 35dB $L_{A90, 10 \text{ mins}}$, within the amenity space of any non-financially involved lawfully existing dwelling, between cut-in wind speeds and the wind speed corresponding to the turbines maximum sound power level, measured to a height of 10m.

- 7 To prevent any demonstrable harm to the amenity of any residents residing at any financially involved properties, the cumulative rating level of noise immissions from the wind turbine(s) (including the application of any tonal penalty) should not exceed 45dB $L_{A90, 10 \text{ min}}$ as measured at least 3.5 meters from the façade of any financially involved noise sensitive property at any time, up to and including on-site wind speeds of 12 m/s at 10m height.
- 8 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise immissions from the wind turbines at the complainant's property following the procedures described in ETSU-R-97 "The Assessment and Rating of Noise from Wind Farms". The scheme for assessing the level of noise shall be agreed in writing by the Local Planning Authority prior to being implemented.
- 9 The assessment of the rating level of noise immissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Local Planning Authority. The protocol shall include the proposed measurement location where measurements for compliance checking purposes shall be undertaken, the method to assess the presence of any tonal component, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions.
- 10 In the event that the operational turbine subsequently develops an audible tone, then a penalty shall be added to the measured sound levels in accordance with ETSU-R-97. This condition applies where no tone has been identified at the assessment stage and no penalty applied.
- 11 During the course of the investigation, should the wind turbine be identified as operating above the parameters specified in condition number 5, 6 and 7 above the wind turbines will be modified, limited or shut down. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified in Conditions 5, 6 and 7.
- 12 The turbine shall operate in 'Reduced Noise Mode' at all times.
- 13 Any lighting shall be erected and orientated in such a manner, and the illumination shall be of a level, so as not to give rise to glare and dazzle to road users.
- 14 Prior to the commencement of the development hereby approved on site, detailed plans of the proposed wind turbine substation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

- 15 No development shall take place until a comprehensive Physical Landscape Impact Mitigation Scheme [PLIMS] has been submitted to and approved in writing by the Local Planning Authority.
- 16 Development shall be fully implemented in accordance with the approved Physical Landscape Impact Mitigation Scheme [PLIMS] and to the approved implementation and long term management programmes, unless agreed otherwise, in writing, by the Local Planning Authority.
- 17 Any new landscape elements planted or seeded; or existing landscape elements retained; in accordance with the approved PLIMS which, within a period of 5 years after implementation, die or become, in the opinion of the Local Planning Authority, seriously diseased, damaged or otherwise defective shall be replaced in the next planting or seeding season with replacement elements of similar size and specification, unless the Local Planning Authority gives written consent to any variations.
- 18 The approved integrated landscape and biodiversity enhancement scheme shall be fully implemented within 12 months of the wind turbine becoming operational.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity
- 3 To ensure derelict or obsolete structures do not adversely affect the environment.
- 4-12 To prevent noise disturbance and loss of amenity to occupiers of nearby buildings.
- 10 In the interest of highway safety.
- 13-14 In the interest of visual amenity.
- 15-18 To ensure the delivery of any required biodiversity mitigation and additionally provide biodiversity enhancement to the local area through the management or creation of wildlife habitats on site or elsewhere on the land holding.

REASONS FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- The proposal complies with Policy SP2 (Climate Change) in that it represents a development proposal which responds to, and is resilient to, and adapt to, and minimise for the causes and impacts of climate change will be supported.
- The proposal complies with Policy SP11 (Renewable Energy & Energy Efficiency) as it is a development proposal which incorporates energy efficiency measures and renewable energy production technologies; and all environmental and cumulative

impacts have been addressed satisfactorily. It is also considered that the development will not cause demonstrable harm to residential amenity, hence is deemed acceptable within this rural landscape setting.

- The proposal complies with Policy SP14 (Protection and Enhancement of the Natural Environment) in that the proposal will not significantly harm the local environment, any sites of nature conservation, historical or archaeological interest, species of ecological value. The proposal also safeguards residential amenity, highway safety, telecommunication or radio interference.
- The proposal complies with Policy RE2 (Local, Community and Small Wind Farms) in that it is an individual turbine proposal which will not have an unacceptable impact on visual amenity or landscape character through; the development will not have an unacceptable cumulative impact in relation to existing wind turbines and other renewable energy installations and those which have permission; the siting, design, layout and materials used is considered sympathetic to the characteristics of the landform, contours and existing features of the landscape; the development will not cause demonstrable harm to statutorily protected species, and habitats and species identified in the Local Biodiversity Action Plan; the turbine and its associated structures will not be sited in, or impact upon archaeological resources, the setting and integrity of Conservation Areas, Listed Buildings or other areas of historical value; the proposal will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public; there will be no loss of public accessibility to the area, and existing bridleways and footpaths will be safeguarded from development with no permanent loss to their length and quality; the turbines and associated infrastructure will, at the end of the operational life of the facility, be removed and an appropriate land restoration and aftercare scheme is agreed; the development will not result in significant harm to the safety or amenity of sensitive receptors and will not have an unacceptable impact on roads, rail or aviation safety; the development will not result in unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems.

NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk)
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the

submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice

Application No	E/35108
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Application Type	Full Planning
Proposal & Location	NEW FARM COMPLEX WITH ASSOCIATED BUILDINGS AND SLURRY LAGOON AT LAND FORMERLY PART OF BODIST UCHAF, AMMANFORD

Applicant(s)	MR R THOMAS, C/O AGENT,
Agent	JCR PLANNING LTD - JASON EVANS, UNIT 2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	Andrew Francis
Ward	Betws
Date of validation	14/02/2017

CONSULTATIONS

Head of Transport – Offers no objections to the proposal.

Betws Community Council – Objects to the proposal stating the following reasons:-

- The slurry complex is too close to neighbouring properties.
- The slurry might overflow or seep into the nearby streams.
- The neighbouring properties will be affected by smells.

Local Member – Former County Councillor D J R Bartlett objected to the proposal stating the following reasons:-

- The location of the development is too close to three residential properties. The farm covers a large area, why has the development been located so close to these residential properties and so far away from the present farm buildings?
- Mention is made of Ammanford/Betws in the application, but no mention is made of the village of Hopkinstown within which this application is sited. Are the villagers of Hopkinstown aware of this application?
- The proposal could increase in vehicular traffic to the area.
- Has any consideration been given to mine workings in the area? They have affected previous applications in the area.

- The risk associated with slurry lagoons which is larger than some swimming pools has been well documented recently.
- There is a stream running nearby, seepage from the lagoon could contaminate this watercourse.
- The smell produced can be detrimental to the local air quality, the proximity may cause amenity issues for the nearby dwellings.
- This second application has caused great distress to the residents of the area. A request is made for the Planning Committee to visit the site to see first-hand the highlighted issues.

Current County Councillor B Jones supports the neighbours' objections in querying why the buildings and slurry lagoon cannot be sited closer to the farm so the smell and noise would not affect the neighbouring properties.

Natural Resources Wales – Offers no objections to the proposal.

The Coal Authority – Offers no objection to the proposal and are satisfied with the broad conclusions of the mining investigation report, however, further more detailed considerations may be required as part of any subsequent building regulations application.

Neighbours/Public – The applications was advertised by means of a Site Notice. Four letters of objection have been received as a result. The responses received are summarised as follows:

- Homes are on the leeward side of the slurry pit and there is concern that the smell will affect the houses. The proposal could also carry wind borne pathogens and spores, if you can smell the slurry you are smelling the pathogens.
- There are three properties within 250 metres of the slurry pit, and one is only 160 metres away. There are approximately 100 properties within 500 metres of the proposal, such proximity is unacceptable given how much land is available at the farm. Further to the above, the applicant's property is over 500 metres away so the applicant is moving the potential for conflict from his own back yard to someone else's which is unfair and selfish.
- There is a water course and public footpath in close proximity to the development. There may be a potential hazard to public health when there is heavy rain which could overflow. Would this impact on public health, ultimately this feeds the River Amman.
- The additional, potentially heavy traffic will create noise and safety concerns for the children and other pedestrians who use the road/lane which do not have pavements. Public footpaths could also be affected and this could even pose a danger under the Children's Act 2004 under which the Council has to have regard to safeguard and promote the welfare of children.
- There are mines in the area. Have these been considered and would they affect the proposal?
- What impact would the proposal have on local wildlife?

- Taking into account the acreage, land and productivity, is the proposed stocking sustainable and are such large buildings lagoons necessary?

RELEVANT PLANNING HISTORY

The following previous applications have been received on the application site:-

E/31908	New farm complex with associated buildings and slurry lagoon Withdrawn	19 August 2016
E/00926	Construction of surface adit Full planning permission	29 April 1998
P6/658/94	Ventilation drift Full planning permission	18 May 1995
P6/7325/81	Extension to mine take Full planning permission	26 November 1981

APPRAISAL

THE SITE

The application site relates to a field enclosure that forms part of the overall holding of the farm known as Bodist Uchaf, Hopkinstown, Ammanford. The farm occupies an area of approximately 262 acres on the north western flanks of Betws Mountain, of this 209 acres are subject to a new 10 year Farm Tenancy Agreement (FTA) taken out with the new tenants who have recently taken over this application.

The application site generally slopes downwards from the north east to south west, though the application site is on one of the flatter areas of the holding. The proposed site is accessed via the farm access road approximately 435 metres up from the junction that leads from the main Hopkinstown/Heol Dwr road up to the farm.

The 0.58 Ha (1.43 Acre) application site is bounded to the north and east by trees, and remains open to the south and west. The application site is approximately 170 metres from the nearest dwelling (Bodist Isaf), 230 metres from the nearest dwelling to the northwest (Ty Isaf) and is approximately 590 metres from the edge of the settlement of Hopkinstown.

THE PROPOSAL

The applicant seeks Planning Permission to erect two agricultural buildings and a slurry lagoon at the above described site to form a new agricultural complex to serve the agricultural holding.

Unit A, as it is described, is the largest, measuring 504 m² (28 metres in length by 18 metres in width) and having a ridge height of 7.7 metres, with a blockwork plinth and box profile cladding on three sides, with the remaining side left open.

Unit B measures 162 m² (18 metres in length by 9 metres in width) and with a ridge height of 6.4 metres. Again, this will have a blockwork plinth and steel box profile sheeting on three elevations, with the south east elevation remaining open.

The proposed slurry lagoon is to be located in the south western corner of the site and is to measure 41.45 metres long and a maximum width of 21.55 metres and a minimum width of 13.40 metres, making a total area of 725 m². It is proposed to be 3.6 metres deep. The perimeter will be protected by a 1.3 metre high security fence.

A short access track from the existing stone track that leads from the site road is to be created at the southern end of the site and lead into a new yard area which will accommodate the farm complex. A new access track will also be created directly off the site road leading up to Bodist Uchaf at the site's north eastern corner. The northern boundary of the site is to be landscaped with new oak tree planting interspersed with a new indigenous hedgerow.

PLANNING POLICY

The development plan is the Carmarthenshire Local Development Plan, adopted on 10 December 2014. The application site is not located within any settlement limits. Therefore the following policies are relevant for the consideration of this application:

Policy GP1 in this instance requires that the development conforms to the character and appearance of the site and takes into account existing landscape features such as changes in levels or prominent ridgelines. The development should also utilise appropriate materials and retain where possible important local features and ensure the use of good quality hard and soft landscaping. The proposal should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community and should have regard for the safe and efficient use of the transportation network. Finally, it should provide for the satisfactory generation, treatment and disposal of both surface and foul water have regard to the generation, treatment and disposal of waste.

Policy EP1 states that proposals for development will be permitted where it does not lead to a deterioration of either the water environment and/or the quality of controlled waters. Watercourses should be safeguarded through buffer zones to protect aspects such as riparian habitats and species.

Policy EP2 requires that wherever possible, proposals for development should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate that they do not conflict with National Air Quality Strategy objectives or adversely affect to a significant extent, designated Air Quality Management Areas and do not deteriorate water quality.

SP14 is a Strategic Policy Objective which seeks to protect and enhance the natural environment, requiring that all development should be considered in accordance with national guidance and legislation and the policies of the LDP. Due consideration should also be given to areas of nature conservation value, the countryside and landscapes.

National Planning Policy is contained within Planning Policy Wales (PPW) (Edition 9, Nov 2016) and Technical Advice Note (TAN) 6 (2010).

Chapter 13 of PPW considers the issue of water and air quality and clarifies that it is the role of the specific environmental bodies and not the Local Planning Authority to control issues of water and air quality through acts enforced by the environmental bodies.

TAN 6 advises on rural enterprises including farming. Paragraph 3.3 permits new agricultural buildings on agricultural holdings, whilst paragraph 6.64 considers specifically the issues relating to slurry lagoons, stating that:

“Regulations set minimum standards for new, substantially reconstructed or enlarged silage, slurry or fuel oil facilities³⁵. The Environment Agency is empowered to serve notice requiring action to improve existing installations when it considers that there is a significant risk of pollution. These Regulations form an important part of the Assembly’s commitment to reduce agricultural pollution of rivers. Planning authorities are therefore encouraged to consider sympathetically development proposals aimed at meeting the requirements of these Regulations.”

THIRD PARTY REPRESENTATIONS

Following the consultation process, Betws Community Council, former County Councillor D J R Bartlett and current County Councillor Betsan Jones have objected as have four members of the public.

The points of objection received are summarised and discussed as follows:

- There are four properties within 250 metres of the slurry pit, and one is only 170 metres away. There are approximately 100 properties within 500 metres of the proposal, such proximity is unacceptable given how much land is available at the farm. Further to the above, the applicant’s property is over 500 metres away so the applicant is moving the potential for conflict from his own back yard to someone else’s which is unfair and selfish.
- Homes are on the leeward side of the slurry pit and there is concern that the smell will affect the houses. The proposal could also carry wind borne pathogens and spores, if you can smell the slurry you are smelling the pathogens.

With regard to both the above points, this is the main point of objection received and relates mainly to the location of the slurry lagoon and the perceived impact upon the three residential dwellings set approximately 230-350 metres to the northwest of the application site, though it should be noted that the proposed buildings will also be utilised to house livestock during the year. The applicants have requested that the proposed development is sited at this location as the original site of the farm is not considered to be suitable for a modern farming development due to the following reasons:

- Access track not suitable due to gradient for delivery vehicles (e.g. feed) and modern farm machinery during poor weather.
- Close proximity to a number of residential properties not associated with the holding could result in potential conflicts between the two land uses.
- Adjoining topography would require substantial engineering operations to accommodate further buildings, collection yard and slurry lagoon.

The second point raised by the applicant is in direct conflict with the objections received, whereby it is for the Local Planning Authority to determine the application as submitted, having regard to the representations received, and assessment of whether what is proposed is an acceptable form of development. The Authority's Public Protection Department has been consulted on this application and have requested that a Noise Impact Assessment (NIA) be carried out for this application. This further information is currently requested of the agent given that the proposed "greenfield" site is closer to third party properties than the existing farm complex. Such an assessment of any noise impact would need to be carried out prior to determination in order to inform the decision.

No objections from Public Protection have been made in response to smells. As Members will be aware, the prevailing wind direction at this site is from the south west to north east. As the houses are to the north-west, it would take a south easterly wind to mean that the three dwellings are on the leeward side. As such, whilst there may be certain days in a year the wind direction may carry smells in the direction of the houses, they are not downwind of the prevailing winds. There is also a tree line between the application site and the dwellings which should help protect against the smells and visual aspects of the proposal. As such, it is considered that the proposal is in a location that is sustainable for the farm and not unduly harmful for the amenity of the occupiers of the houses situated to the northwest.

- Has any consideration been given to mine workings in the area? They have affected previous applications in the area.

With regard to this issue, it is the responsibility of the applicants to ensure that the proposed buildings and slurry lagoon are constructed in a location and in a method that would not adversely affect old mine workings. Taking this into account, the applicants have submitted a Mining Investigation Report to be assessed by both the Coal Authority and the Authority's Minerals and Waste Team. The Coal Authority do not object to the proposal and are satisfied with the broad conclusions of the report.

The Authority's Minerals and Waste Officer advises that the site is located within the High Risk Development Area, which is covered in the foregoing paragraph. They also query what quantities of excavated material are expected to be derived from the proposal and how the surplus would be disposed of. It is envisaged that much of the excavated material will be re-used on site in the formation of the building foundations and creation of the slurry lagoon.

- The risk associated with slurry lagoons which is larger than some swimming pools has been well documented recently.

The slurry lagoon is to be protected by a 1.3 metre high safety fence around its perimeter and the farm yard will have to be managed to health and safety standards. The slurry lagoon is also within a controlled farm yard that should not be visited or used by people who might be unaware of the dangers posed by working farmyards.

- There is a stream running nearby, seepage from the lagoon could contaminate this watercourse.
- There is a water course and public footpath in close proximity to the development. There may be a potential hazard to public health when there is heavy rain which could overflow. Would this impact on public health, ultimately this feeds the River Amman.

With regard to the issue of the potential effects of the development upon the water course, Natural Resources Wales (NRW) have been consulted on this matter. Following discussion and amended waste management plans, NRW do not object to the proposal, subject to the following of guidance relevant to the aspects of the development outside of planning control. Therefore, with regard to the issue of the watercourse and concerns regarding water quality, based on the information provided, this point of objection cannot be sustained.

- The additional, potentially heavy traffic will create noise and safety concerns for the children and other pedestrians who use the road/lane which do not have pavements. Public footpaths could also be affected and this could even pose a danger under the Children's Act 2004 under which the Council has to have regard to safeguard and promote the welfare of children.

The Head of Transport - Has been consulted and has offered no objection to the application.

- Taking into account the acreage, land and productivity, is the proposed stocking sustainable and are such large buildings lagoons necessary?

The Authority's Agricultural Valuer has been consulted on the application. Initially, the application was submitted on the basis of 209 acres of the land (out of the total 262 acres) being leased on a 5 year Farm Business Tenancy (FBT) which the Authority's Valuer stated was unsustainable as the agreement was too short. Since the initial submission it has recently been advised that the applicant for the application has changed and with the change the FBT has increased to 10 years which although short, is the minimum time period deemed acceptable. Consequently, the current proposal is now solely based on the 209 acres of the FBT, which the Authority's Valuer is content continues to constitute a viable unit that can justify and sustain the proposed development.

In addition, as there is a new applicant, the information in terms of stocking (existing & proposed), farming enterprise have been revised and are covered in a revised manure management plan submitted in respect of the new tenant and applicant

CONCLUSION

As discussed above, the main issues for this application relate to the effect of the proposal on the amenity, mainly through the potential for intrusive smells to spread from the new farm yard and slurry lagoon to the residential properties, together with the potential for noise pollution, in particular the possible effect upon the four closest properties located between 170 and 350 metres or so away. All the considerations of the evidence provided to date have been assessed by officers and colleagues, with the consensus that the proposal would not have a significant detrimental effect upon these neighbouring properties, nor detrimentally affect the water quality in the area, albeit no NIA has yet been received. As the request for a NIA was only made late in the determination process, the applicant has agreed to commission the necessary works, albeit this will not be possible by the time the application is presented to the Planning Committee. In light of which, it is requested that any recommendation made to grant planning permission, and subsequent resolution to approve, would be subject to the submission and favourable consideration of a NIA for the proposal.

The previous application was withdrawn due to a lack of information regarding the mining works that have been undertaken in the area. As a result, the current application has been submitted with a Mining Investigation Report which has informed the application insofar as

the siting and layout of the yard has altered from the original application to account for the information contained within the report. As a result, the proposed yard is slightly further away from the nearest properties too. With regard to the submitted Mining Investigation Report, the Coal Authority does not object to the proposal, being broadly satisfied with the details and conclusions of the report.

The final issue for consideration relates to the long term agricultural viability of this proposal based on the acreage, farming enterprise and FBT. In light of changes in the applicant and acreage of the holding, colleagues in the Property Service continue to be supportive of the proposal.

Despite the concern that has been shown, all of the consultation responses that relate to the technical and scientific aspects of the proposal, other than for noise, have concluded that the proposal would be an acceptable form of development, subject to conditions and advice.

As such, the proposed development is considered to comply with the local and national planning policies, and is recommended for approval subject to the aforementioned prerequisite that a NIA is submitted and considered by officers.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following plans received on the 8 December 2016 unless amended by any of the following conditions:-
 - 1:1250 scale Site Location Plan (CW437/05 H);
 - 1:500 scale Proposed Site Layout Plan (CW437/03 J);
 - 1:200 and 1:250 scale Proposed Site Sections (CW437/04);
 - 1:100 scale Proposed Layout and Elevations – Unit A (CW437/01 C);
 - 1:100 scale Proposed Layout and Elevations – Unit B (CW437/02 A).
- 3 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development and any trees or plants which within a period of five years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variations and thereafter shall be retained in perpetuity.
- 4 Daytime working hours for any construction works are to commence no sooner than one hour after sunrise and finish no later than one hour before dusk. At night, a quiet dark 7 metre corridor shall be retained along the watercourse and its bankside vegetation.

- 5 No development approved by this permission shall be commenced until an Ecological Management Plan detailing all necessary ecological retentions and mitigation measures, delivering the ecological recommendations listed within section 5 of the submitted Ecological Assessment Report by Amber Environmental Consultancy, dated June 2015, is submitted to and approved in writing by the Local Planning Authority. The plan shall then be implemented as approved.
- 6 The use of the buildings hereby approved shall be used strictly for the purposes of agriculture, as defined in Section 336 (1) of the Town and Country Planning Act 1990 (as amended)

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-3 In the interest of visual amenity.
- 4-5 In the interest of ecological protection.
- 6 To control the integrity of the open countryside.

REASONS FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- The proposed development accords with policy GP1 of the Carmarthenshire Local Plan in that the proposed development conforms with the rural nature of the area and features and incorporates landscape features to reduce and mitigate the potential detrimental impact upon the amenity of the occupiers of the nearby residents in terms of smells and noise whilst providing satisfactory methods for the generation, treatment and disposal of foul, surface water and waste and provides an acceptable vehicle access to serve the site.
- The proposed development accords with policies EP1 and EP2 of the Carmarthenshire Local Development Plan in that the water and air quality of the area will not be unduly harmed by the agricultural development.
- The proposed development accords with policy EQ5 of the Carmarthenshire Local Development Plan in that the proposed development has been assessed not to have any undue or detrimental harm to the existing ecological features adjacent to the application site.

NOTES

- 1 Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any

subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this permission will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).
- 3 Attention must be paid to the advised best practice measures detailed in Natural Resources Wales' response dated 07/11/17.

Application No	E/35356
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Application Type	Full Planning
Proposal & Location	IMPROVEMENT TO EXISTING FIELD ACCESS TO FACILITATE ACCESS TO A 5 CARAVAN CL SITE AT LAND AT BRYNHYFRYD, TALLEY ROAD, LLANDEILO, SA19 7HU

Applicant(s)	MR & MRS EYNON PRICE, BRYNHYFRYD, TALLEY ROAD, LLANDEILO, SA19 7HU
Agent	NAYLOR SALE & WIDDOWS LLP - IAN NELSON, THE OLD LIBRARY, RISLEY LANE, BREASTON, DE72 3AU
Case Officer	Kevin Phillips
Ward	Manordeilo & Salem
Date of validation	31/03/2017

CONSULTATIONS

Head of Transport – Offers no objection to the proposal subject to the imposition of 8 conditions.

Manordeilo and Salem Community Council – No objections

Local Member - County Councillor J Davies is a member of the Planning Committee and has made no prior comment on the proposal.

Public Rights of Way Officer- Footpath 44/104 abuts the proposed development site as shown on the attached Public Rights of Way plan. If the application is approved, reference should be made to the applicant/developer of the existence of the footpath and to the requirement not to obstruct or encroach upon it at any time. If the development affects the Public Right of Way it is recommended that the applicant contacts the Public Rights of Way department

National Grid – No comments received.

Neighbours/Public - The application has been publicised by the posting of a Site Notice and six letters of objection have been received. The issues of objection raised are as follows;

- There is highway safety concern from the increased traffic to/from the site and the creation of a new access

- Safety concern for local children.
- There is concern regarding noise and pollution for refuse collection.
- Concerns of the proposal upon the local ecology
- The proposal is not in keeping with the rural character of the area
- Concern that caravanners will become grounded at the site because of the poor ground conditions
- Loss of privacy for local residents
- Light pollution for the area
- Concern regarding the ability to access water and the safe disposal of waste.
- The proposal has resulted in the public footpath being blocked.
- Concern that pollution from vehicles enters the watercourses.
- The application form conveys that there are no trees or hedgerows impacted and their removal will make the site more visible.

RELEVANT PLANNING HISTORY

There is no relevant planning history

APPRAISAL

THE SITE

The application site is an agricultural field that forms part of the holding at Brynhyfyd, Llandeilo. Access to the site is from the C2118 road that runs from the B4302 Talley road, to the village of Penybanc to the west. The road is delineated by mature hedgerows and there is a single dwelling, Llety-Maelog opposite.

THE PROPOSAL

This is a retrospective application for a new improved access onto a "C" class road, to serve the proposed need for a 5 caravan or motorhome certified (CL) site at the aforementioned location.

The Camping and Caravanning Club holds a Certificate of Exemption under Section 269 (6) of the 1936 Public Health Act, as well as Section 2 of the First Schedule to the Caravan Sites and Control of Development Act 1960, which permits the Club to establish small sites without the need to obtain a specific planning approval. However, there is a need to consult the Local Planning Authority in relation to the aspect of the highway safety and during the consideration of the CL licence application, the Local Planning Authority were consulted which included the consultation of the Head of Transport. The Head of Transport required the submission of a routing plan that controlled the arrival and exit of the visitors to the site and improvements to the visibility splays for the access. Whilst there was an acceptance by the applicant and the motor caravanners club in terms of adherence to the routing stipulations to/from the site and the visibility splay requirements, works were undertaken by the applicant that resulted in a new and enlarged access being formed without the submission of a planning application.

PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless

material considerations indicate otherwise. The Development Plan for the purposes of this application comprises the Carmarthenshire Local Development Plan. In terms of the application's policy context, reference is made to the following Carmarthenshire LDP policies and guidance.

Policy GP1 Sustainability and High Quality Design is a general policy which promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Development proposals should also not have a significant impact on the amenity of adjacent land uses and properties.

Policy TR3 Highways in Developments - Design Considerations requires the design and layout of all development proposals to, where appropriate, to include an integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport; suitable provision for access by public transport; appropriate parking and where applicable, servicing space in accordance with required standards; an infrastructure and spaces allowing safe and easy access for those with mobility difficulties; required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced; and provide for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.

Proposals which do not generate unacceptable levels of traffic on the surrounding road network and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

THIRD PARTY REPRESENTATIONS

Six letters of objection have been received from local residents and the issues of objection shall be addressed herewith:

There is highway safety concern from the increased traffic to/from the site and the creation of a new access and safety concern for local children

The Head of Transport has been consulted on the application for the access and there is no objection to the proposal, subject to the imposition of 8 conditions on any permission that may be granted.

There is concern regarding noise and pollution for refuse collection

This application is for a revised access to serve a proposed 5 caravan or motorhomes certified site and whilst there will be refuse from the visitors to any accepted CL site, it is considered that the level of waste will not be such that it will result in significant noise from refuse collection.

The proposal is a small development and any issue of noise generated from the site will be a public nuisance issue for action by the Public Protection section.

Concerns in regard to the proposal's impact upon the local ecology

The Authority's Planning Ecologist has raised no objection or concerns regarding the proposed development at the site.

The proposal is not in keeping with the rural character of the area

The proposal is a retrospective application for a new improved access onto a C class road, to serve the proposed need for a 5 caravan or motorhomes certified site at the aforementioned location. The Camping and Caravanning Club holds a Certificate of Exemption under Section 269 (6) of the 1936 Public Health Act, as well as Section 2 of the First Schedule to the Caravan Sites and Control of Development Act 1960, which permits the Club to establish small sites without the need to obtain planning permission. The site has been granted a licence for a CL site by the motor caravanners club, however as a result of the new access being created without the relevant planning permission the licence was revoked. This planning application is to allow the applicant to acquire the CL licence again. However, the proposed access is for consideration and it is not considered that the proposal will be out of keeping with the rural character of the area.

Concern that caravanners will become grounded at the site because of the poor ground conditions

This is a retrospective planning application for an access to serve the proposed CL site and the issues of becoming grounded are not a material consideration in this application.

Loss of privacy for local residents

This is a retrospective planning application for an access to serve a proposed CL site which does not presently benefit from a CL certificate, and any issue or concern regarding the impact that the proposed 5 caravans or motorhomes will have upon the living conditions of local residents is a matter to be raised with the caravan certifying body. The proposed access at this location will not result in any significant loss of privacy for local residents.

Light pollution for the area

This is not considered to be a material planning consideration in the determination of this planning application for the access.

Concern regarding the ability to access water and the safe disposal of waste.

This is not considered to be a material planning consideration in the determination of an application for the access. However, the guidance applied in terms of the CL site will require that organisations will act responsibly when disposing of the contents of chemical toilets and waste water and take full account of the need to safeguard water supplies and prevent the pollution of rivers and streams.

There is an ongoing enforcement investigation into an unauthorised waste water and storage facility sited within the ground at the site, which is not the subject of this application.

The proposal has resulted in the public footpath being blocked.

The Country Footpath Officer has visited the site and whilst it has been conveyed that the footpath is in a poor condition and appears not to be in regular use, and the stile at the entrance is overgrown and dilapidated, it is intended to improve the situation with the footpath through appropriate highways legislation.

Concern that pollution from vehicles enters the watercourses.

The proposal in terms of the new access to serve a possible CL site is not considered to be of a scale that will result in any significant harm from pollution from visiting vehicles.

The application form conveys that there are no trees or hedgerows impacted and their removal will make the site more visible.

This is a retrospective planning application and the works to create the access has already resulted in the translocation of the hedgerow fronting the site to the western side, to allow for the visibility improvements when accessing/exiting the site, in accordance with the Head of Transport's requirements. The hedgerow remains and continues to screen the enclosure to the south.

CONCLUSION

The application is for an access to serve the needs of a proposed CL site, which was previously granted a certificate by the motor caravanners club, and whilst the site presently does not benefit from a certificate because the works undertaken to the access did not have planning permission, whereby the motor caravanners club withdrew the certificate, the applicant intends to resubmit his CL site application. The proposed access is an improvement to the previous access at the site, having received a favourable response to consultation from the Head of Transport. Whilst it may be considered that the retrospective application for the access is premature, it is reiterated that the site received a CL site certificate previously.

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposed access is acceptable and accords with policy. In light of the above, and having assessed the principal issues of highway safety and amenity concerns, this application is put forward with a recommendation for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 13 th April 2017

- 2 The above approved development relates to the following plans and documents and works should be carried out in accordance with them unless amended by any conditions below:
 - Location Plan, Field Plan, Site Plan, Entrance and Tracking in and out plans(3369/01B), received 15 May 2017.
- 3 Any access gates shall be set back a minimum distance of 12.0 metres from the highway boundary, and shall open inwards into the site only.
- 4 There shall at no time be any means of vehicular access to the development from Brynhyfryd Farm via the B4302 Road.
- 5 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 90 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. And there shall at no time be any growth or obstruction above 0.9 metres in height within this splay.
- 6 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 7 The access shall be hard surfaced for a minimum distance of 12.0 behind the highway boundary, in materials which shall be subject to the prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.

REASONS

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2 In the interest of visual amenity
- 3-7 In the interest of highway safety

REASONS FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- The proposed development complies with Policy GP1 of the Carmarthenshire LDP in that it is an appropriate form of development that is acceptable to the character of the area.
- The proposed development complies with Policy TR3 of the Carmarthenshire LDP in that the access is an appropriate design and layout that is acceptable to the requirements of the site and the character of the area.

NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk)
- 2 Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this permission will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement if development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

It is the responsibility of the developer to contact the Streetworks Manager of the Local Highway Authority to apply for a Streetworks Licence before undertaking any works on an existing Public Highway.

Application No	E/36183
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Application Type	Full Planning
Proposal & Location	NEW ECO-HOUSE AT LAND ADJ TO 'NEW HOUSE', CILYCWM, LLANDOVERY, CARMS, SA20 0SS

Applicant(s)	MR AND MRS SPEAKMAN, GREENFIELDS, NORTON CANON, HEREFORD, HR4 7BH
Agent	SUSTAIN BY DESIGN - SIMON BROWN, THE LONG BARN, TY MAWR ROAD, GILWERN, ABERGAVENNY, NP25 3NZ
Case Officer	Kevin Phillips
Ward	Cilycwm
Date of validation	26/09/2017

CONSULTATIONS

Cilycwm Community Council – There is no objection in principle to a new house on this plot. However, the following points were raised by Councillors:

- The scale of the house proposed (14m long, 10m. deep and 8m. tall) is a concern.
- Materials and design is felt not to be in keeping /sensitive to the historic surroundings
- Eco credentials appear limited
- No assessment on effect on Listed buildings and Historic environment.
- Preservation of hedging etc in line with natural features should be protected as far as possible
- The off road parking is a welcomed feature of the proposal

Local Members - County Councillor Arwel Davies has not commented on the application.

Head of Transport – Following re-consultation as a result of a revised layout plan, the response to re-consultation is awaited.

Neighbours/Public – A site notice has been posted and 6 letters of objection have been received as a result. The issues of objection raised are;

- The proposed dwelling will be 2 metres from an LPG tank which contravenes gas safety rules
- The scale of the dwelling will be out of keeping with adjacent dwellings and other dwellings in the village
- The materials proposed are not in keeping with other dwellings in the village

- The dwelling will block light for 1 and 2 New House, and Green Lodge, Cilycwm
- The proposal conflicts with policies GP1, H2 and EQ1 of the Carmarthenshire Local Development Plan.
- There is concern regarding the access from the site.
- There is concern regarding the preservation of the water gully in the highway fronting the application site.
- The proposal will have an unacceptable impact upon the listed buildings of Ty cornel and Lamb House
- There will be overlooking of adjacent properties' gardens

RELEVANT PLANNING HISTORY

E/25312 One residential dwelling
Outline Planning Permission

10 November 2011

APPRAISAL

THE SITE

The application site is an area of land between the curtilages of 1 New House and Green Lodge within the village of Cilycwm, Llandovery. The site is approximately 27 metres in depth and a width of 14.6 metres at the front of the plot and 18.0 metres at the rear, with the C2157 road fronting the site. There are two semi-detached dwellings to the north of the site and a two semi-detached dwelling to the south, with a terrace of cottages on the opposite side of the highway and land at the rear is agricultural land.

THE PROPOSAL

This is a full planning application for an eco-house with three bedrooms and a studio workshop at first floor and an open plan kitchen, dining, living and garden room and a second studio workshop below the aforementioned first floor studio workshop at ground floor. The house is 14.15 metres in length and 5.6 metres in depth, with a small porch on the front elevation and a small single storey extension at the rear (south side), with access onto a verandah to the northern rear side. The eaves height of the house will be 4.5 metres and the ridge height 7.4 metres and the subordinate two storey north side extension with the studio workshops therein will have an eaves height of 3.7 metres and ridge height of 6.5 metres. The house will be finished in lime render with a natural slate roof; the extension at the rear will be unstained larch boarding, windows will be high performance timber and there will be solar panels on the rear elevations of the rear extension and verandah. The dwelling will be set back 10 metres from the highway with a parking and turning area fronting the dwelling. There is also a proposal for a temporary static caravan fronting the dwelling.

PLANNING POLICY

The application falls to be considered against Policies within the Carmarthenshire Local Development Plan (LDP). The relevant policies are:

In the context of the current development control policy framework, the site lies within the settlement limits. As such the proposal is assessed in accordance with Policy H2 of the LDP. This policy allows housing within settlement limits provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy GP1 Sustainability and High Quality Design is also applicable and relates to a number of criteria including character, amenity and access. Developments should conform with and enhance the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing. They should also utilise materials appropriate to the area within which it is located and should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community.

Policy AH1 applies in relation to affordable housing contributions; at this location a sum of £88.82 per sqm is required.

THIRD PARTY REPRESENTATIONS

The issues of objection are addressed herewith;

The proposed dwelling will be 2 metres from an LPG tank which contravenes gas safety rules

This is not a material planning consideration as planning legislation does not have any control over the siting of the LPG tank. There is no justification to refuse the application on the ground that there is an LPG tank at the adjacent property.

The scale of the dwelling will be out of keeping with adjacent dwellings and other dwellings in the village

The proposed dwelling is of a scale and design that reflects the mixture of other dwellings in the village of Cilycwm. It has a simple traditional rectangular form, with a subordinate two storey extension at the northern end, and a saddle roof which also reflects numerous other dwellings in the locality. There is a terrace of simple cottages opposite and Green Lodge is also a cottage style dwelling located adjacent and to the south. To the north, 1 and 2 New House have a similar form to that proposed, however there are split level dormer windows at first floor of the front elevation. The height of the eaves level of the proposed dwelling is 4.5 metres and the ridge is 7.4 metres with the subordinate two storey extension to the northern side for the studio workshops. Taking into consideration the proposed height of the dwelling against the other dwellings adjacent and in the locality and considering the setting of the dwelling back 10 metres from the highway, the proposal is not considered to be out of keeping within the village. The eaves height at 4.5 metres and the saddle roof being of a typical pitch, the dwelling is not considered to be of a scale that is out of keeping in the locality.

The materials proposed are not in keeping with other dwellings in the village

The dwellings in the village have a mixture of material finishes, the elevations are primarily cement render, stone, brick, rough cast render and the roofs are slate finish; the proposed materials of lime render and a slate roof are considered to be acceptable in terms of respecting other dwellings in the village.

The dwelling will block light for 1 and 2 New House, and Green Lodge, Cilycwm

The dwelling is set away from each dwelling sufficiently and its aspect will be such that there will be no significant light loss for any adjacent dwellings, specifically 1 and 2 New House and Green Lodge.

The proposal conflicts with policies GP1, H2 and EQ1 of the Carmarthenshire Local Development Plan

The proposed house at this location is of a scale, design and materials that is considered in keeping with other dwellings in the locality. A Planning Statement has been submitted in support of the application which considers the design aspects of the village and has included these within the proposal. The house is sited at a location set back from the principal elevations of existing dwellings in the village, which will result in a setting which brings the perceived scale of the dwelling in relation to other dwellings down, resulting in a proposal that is not considered harmful to the character of the village. The proposal is not considered to adhere to the principles of siting, appearance, scale, height, massing, elevation treatment, and detailing required by the abovementioned policies.

There is concern regarding the access from the site.

Following the receipt of amended layout plans which provides an access to/from the site the northern boundary and parking facilities within the curtilage of the dwelling, the Head of Transport recommends that conditions are applied to any planning permission.

There is concern regarding the preservation of the water gully in the highway fronting the application site

The proposal will result in the need to cross the cobbled gutter that runs along the highway boundary, which is the existing state of affairs with all other dwellings in the village that front the highway. There is no justification to refuse the application on this ground.

The proposal will have an unacceptable impact upon the listed buildings of Ty Cornel and Lamb House

The two listed buildings above are not adjacent to the application site, they are at the junction with the C2157 and C2270 roads (25 metres away to the south east) and 34 metres to the south (in the terrace of the centre of the village) respectively. Both listed buildings will not be visible from the dwelling at the application site and the proposed dwelling will not result in any harm to the setting of the listed buildings.

There will be overlooking of adjacent properties' gardens

There are no windows in the gable elevations of the dwelling and therefore it is considered that there will not be any loss of privacy for the adjacent dwellings.

CONCLUSION

The proposed development of a single residential dwelling at this location within the development limits of Cilycwm, Llandovery is an appropriate use of the site which is supported by policy H2 of the LDP which permits such development providing it does not generate any highway, amenity or utility service objections.

The site is a level area of infill land within the settlement limits. It is deemed that an acceptable detailed design has been received following a previous outline permission for a dwelling at the site. It is considered reasonable to permit the proposed development at this location which would not have an adverse effect on the character of the area or the general

amenities of neighbouring properties or land at this location. The application includes an Unilateral Undertaking to pay the relevant affordable housing contribution.

The proposal is considered to be a sympathetic scheme that adheres to the relevant planning policies. The issues of objection have been addressed above and do not justify the refusal of the proposal. Therefore, the application in principle is considered to adhere to LDP policies and is supported subject to the following conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The above approved development relates to the following plans and documents and works should be carried out in accordance with them unless amended by any conditions below:
 - Existing Block Plan(003), received 18 August 2017
 - Proposed Floor Plans(110), received 18 August 2017
 - Revised Proposed Site Plan(105), received 31 October 2017
 - Proposed Elevations (120), received 21 November 2017
- 3 The new vehicular access shall be laid out and constructed in accordance with the Revised Proposed Site Layout drawing no: 105 Issue: 1711-001 dated: 27/10/17 prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 4 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole C2157 Road frontage within 2.4 metres of the near edge of the carriageway.
- 5 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 6 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 7 The caravan identified on the plans referred to in Condition 2 shall be removed on or before 1st January 2020.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity
- 3-6 In the interest of highways safety
- 7 In the interest of visual amenity and to ensure that the caravan does not remain in occupation when the dwelling is occupied.

REASONS FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- It is considered that the proposed development complies with Policy H2, AH1, GP1 and GP2 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that the dwelling is not detrimental to the character and appearance of the area and it is not considered there are any significant impacts in relation to amenity. Sufficient amenity space is provided for the proposed dwelling with appropriate parking and access provided.

NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk)
- 3 Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this permission will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement if development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 4 This Planning Permission is tied to an Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 that an Affordable Housing Contribution (policy AH1 of the Carmarthenshire Local Development Plan) of £13,234.18 shall be paid to Carmarthenshire County Council upon commencement of the development.

*Ardal Del/
Area South*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 14 RHAGFYR 2017
ON 14 DECEMBER 2017**

**I'W BENDERFYNU/
FOR DECISION**



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 DECEMBER 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/36019
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE FROM A C3 DWELLING TO C4 USE HOUSE OF MULTIPLE OCCUPATION (5 PERSON) AT 69 PANTEG, LLANELLI, SA15 3TE

Applicant(s)	MR & MRS GARTH & SUZANNA ASHFORD & VANGELOR, CWM COTTAGE, CWMFFERWS ROAD, TYCROE, SA18 3TU
Agent	BEACON ARCHITECTURAL SERVICES - MR ROBERT JAMES, TY MONDAS, TRECATTLE, BRECON, LD3 8UH
Case Officer	Paul Roberts
Ward	Felinfoel
Date of validation	29/08/2017

CONSULTATIONS

Llanelli Rural Council – Have confirmed that they have no objection to the application subject to suitable provision being made for vehicle parking and refuse storage.

Local Members – County Councillor B Thomas objects to the application on the basis that the occupiers will be car users who will place extra pressure on an area already suffering from a lack of parking provision for residents. Cllr Thomas highlights that the property is located on the main road (A476) through Felinfoel which has double yellow lines on both sides of the road.

Head of Transport – Has raised no objection to the application.

Head of Housing and Public Protection – Has not commented on the application to date.

Natural Resources Wales – Have raised no objection to the application from a flood risk perspective.

Neighbours/Public – The neighbouring properties within the vicinity of the site have been notified of the application. In response, five letters of representation have been received from neighbouring residents who object to the proposal and raise the following concerns:-

- The parking situation on Panteg is already congested, over-subscribed and dangerous with no room to house another multi-occupancy dwelling.

- The application property only has a single one-car garage which is in a poor state of repair.
- There are parking restrictions either side of the road fronting the property.
- The need for 2 parking spaces for dwellings of three bedrooms or over.
- The proposal will affect neighbouring residents' parking facilities and affect access for emergency vehicles.
- The pathway leading from the house to the rear garage passes over neighbouring land which is the subject of a right of way and the use of the property as a house of multiple occupation (HMO) will impact upon the wear and tear of the neighbouring property.
- Locking the gate on the shared rear pathway would restrict access to neighbouring properties who also use the path.
- Increased traffic frequency and noise levels from the occupants and visitors and the impact upon adjoining properties.
- The need for a HMO license.
- Provision is made for cycle stands in the garage with no parking provision.
- Lack of need for a HMO.
- Concerns regarding future use of the property as a drug rehabilitation or mental health half way house premises.
- Harmful to the residential character of the area.
- Location of site in flood risk area.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

THE SITE

The application site consists of a vacant mid-terraced house located off the northern side of the A476 in Panteg, Felinfoel close to its junction with Tanyrhodyn Road. It consists of three bedroom accommodation set over two floors and has a partly pitched and flat roof design. The property has the benefit of a long rear garden space that slopes up towards its rear boundary which is contiguous with Tanyrhodyn Road. There is a single garage at the rear of the garden that is accessed via a pathway leading from the house and has a vehicle access onto Tanyrhodyn Road.

The surrounding area is primarily residential in character consisting of a predominance of terraced houses. There are a number of services and facilities in the locality of the site including a petrol station, shops public house and a number of schools.

THE PROPOSAL

The application seeks full planning permission for the change of use of the application property from a dwelling to a HMO for 5 persons. The proposal will involve a number of internal alterations to the property which include the conversion of the down stairs living room to two new bedrooms. The downstairs kitchen and living area are to be retained while three bedrooms and a bathroom are to be provided on the first floor. The only external alteration to the property will be the insertion of a new first floor bathroom window in the rear elevation.

The rear garage is to be retained for parking purposes and bicycle and refuse storage facilities are to be provided in a small store building currently located at the rear of the house.

PLANNING POLICY

In the context of the current development control policy framework the site is located within the development limits of Llanelli as defined in the Carmarthenshire Local Development Plan (LDP). The following policies of the Plan are relevant to the proposal.

Policy H3 of the Plan permits proposals for the conversion or sub-division of appropriate dwellings into flats or dwellings of multiple occupation provided they do not result in the over-intensification of use and suitable parking provision is available. Proposals must also ensure that, where applicable, the architectural quality, character and appearance of the building is safeguarded and its setting not unacceptably harmed.

Policy GP1 is a general policy which promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Development proposals should also not have a significant impact on the amenity of adjacent land uses and properties or give rise to any parking or highway safety concerns on the site or within the locality.

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. It also requires that appropriate parking be provided in accordance with the required standards.

THIRD PARTY REPRESENTATIONS

Five letters of objection have been received from neighbouring residents while the local member has also raised concerns regarding the proposal. The principal issues relating to the application are addressed below.

A common ground of concern amongst respondents is the lack of car parking available to serve the proposal and it is suggested that the occupiers of the development will place extra pressure on an area that already suffers from a lack of car parking. The Authority's parking standards do not have category relating specifically to HMOs, however, the conversion of houses to bedsits or self-contained apartments require 1 space per bedroom up to a maximum of 3 and 1 space per 5 units for visitors, giving a total of 4 spaces.

Whilst the development only includes provision for a single parking space in the existing rear garage, the Head of Transport in considering the proposal has given considerable weight to the sustainable location of the property. It is located in the built up area of Llanelli on one of the main routes (A476) into the town with good accessibility to public transport facilities and cycle routes as well being in walking distance of a range of services and facilities. Appendix 5 of the parking standards allows for a reduction in parking requirements in sustainable locations and the applicant has, upon the request of the Head of Transport, provided a travel plan for the prospective occupiers of the development which encourages them to use sustainable modes of transport. The Head of Transport has confirmed his acceptance of the travel plan and, based upon the sustainable location of the site, has raised no objection to the application from a parking or highway safety perspective.

The proposal is therefore considered to be in accord with the objectives of policies H3, GP1 and TR3 of the LDP in terms of its parking and highway impacts.

Turning to the concerns regarding the impact upon the residential character of the area. The modest scale of the development will mean that it will be compatible with neighbouring residential uses while the minimal level of external alterations will ensure there will be no visual harm to the character and appearance of the property or surrounding street scene. Furthermore, the Head of Public Protection has offered no objection to the proposal from a noise or residential amenity perspective. In this regard the proposal is in compliance with the requirements of policies GP1 and H3 of the LDP.

Concerns regarding potential damage to neighbouring properties and a private right of way at the rear of the property are civil matters that are outside the scope of planning control. As to the issue of licensing, it is mandatory for local authorities to license all HMOs that are three storeys or more with five or more occupants. The property will not therefore need to be licensed, however notwithstanding this the Head of Housing and Public Protection does have powers to regulate the property and the standard of accommodation as well as any anti-social behaviour that may arise.

Comments regarding the potential future use of the property as a drug rehabilitation or mental health half way house premises are unfounded and not relevant to the current proposal. From a flooding perspective, although the front part of the house is located within Zone C2 as defined by the development advice map referred to under Technical Note 15 :Development and Flood Risk (2004), Natural Resources Wales have raised no objection to the conversion of the existing house to a HMO.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to be an acceptable and appropriate use for the area and will be in keeping with its character and appearance. The proposal will provide a beneficial use for a vacant and underused building and will be well related to the existing services and facilities in the area. Moreover, it will be within easy access of existing public transport facilities. The proposal will not result in material harm to the living conditions of neighbouring residents and the Head of Transport has raised no objection from a parking or highway safety perspective.

Based on the foregoing, the proposal is in compliance with the policies of the Authority's LDP and is accordingly put forward with a favourable recommendation.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced no later than the five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans:-
 - 1:50, 1:100 and 1:1250 scale existing floor plans, section, elevations and location plan (01) received on 10 August 2017;
 - 1:50 and 1:100 scale proposed floor plans, section and elevations (02A) received on 13 November 2017; and
 - Travel plan received on 22 November 2017.
- 3 The garage shown on the 1:50 and 1:100 scale proposed floor plans, section and elevations (02A) received on 13 November 2017 shall retained for parking purposes in accordance with the details shown.
- 4 The premises shall be used as a house in multiple occupation for no more than five persons and shall not be used for any other purpose.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3 In the interests of highway safety.
- 4 To ensure the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

NOTE(S)

- 1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN/**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 14 RHAGFYR 2017
ON 14 DECEMBER 2017**

**I'W BENDERFYNU/
FOR DECISION**



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yn rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 DECEMBER 2017
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/33092
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Application Type	Full Planning
Proposal & Location	CONVERSION OF EXISTING AGRICULTURAL BUILDING TO A DWELLING AT BARN AT CILHERWYDD, LLANBOIDY, WHITLAND, CARMS, SA34 0LL

Applicant(s)	DORIAN PHILLIPS, C/O AGENT, ,
Agent	DORIAN PHILLIPS LTD BUILDING CONTRACTORS, DOLAU GRONW, LLANBOIDY, WHITLAND, SA34 0EE
Case Officer	Helen Rice
Ward	Llanboidy
Date of validation	14/12/2015

CONSULTATIONS

Llanboidy Community Council - No comments received.

Local Member - No comments were received by Cllr R Llewelyn who was the Local Member at the time the application was submitted. The applicant is now the Local Member for the Llanboidy ward, Cllr Dorian Phillips.

Head of Transport - No objections subject to conditions.

Natural Resources Wales - No objections subject to conditions ensuring that the development is carried out in accordance with the recommendations set out in the submitted bat survey and advising that prior to any works commencing, an European Protected Species Licence from NRW will be required.

Dwr Cymru/Welsh Water - No objections

Neighbours/Public - The application was publicised by way of a site notice. No comments/letters were received as a result. Members are informed that a recent consultation process has been undertaken in view of the development's impact upon a right of way. As required by legislation the application has been the subject of notification in the press and that is not due to expire until 13 December 2017. If any responses are received as a result, an update will be provided to Members at the committee.

RELEVANT PLANNING HISTORY

W/25058 Alternative access track to
Cilherwydd using existing
entrance onto C3203
Full Planning Permission

16 November 2011

APPRAISAL

This application is being reported to the Planning Committee as the applicant, Cllr Dorian Phillips is the Local Member.

THE SITE

The application site lies in a remote rural location to the north of Whitland and south east of the village of Llanboidy. Set down in the valley from the C3203 road from Whitland to Llanboidy views of the main application site are screened by topography albeit the access is clearly evident from the road. The access road serves both the barn and the farmhouse known as Cilherwydd located further west from the site. Public footpath 18/15 crosses the site. The barn the subject of the application is of a traditional stone built appearance under a corrugated iron roof, with a few openings with arched brick work lintel detail above. It appears that various repairs to the barn have been historically carried out

THE PROPOSAL

Full planning permission is sought for the conversion of the existing barn into a residential dwelling and the addition of a single storey lean-to extension. The proposal would result in the creation of a Lounge, Kitchen/Dining, Utility and WC and Conservatory on the ground floor with 3 no. bedrooms, a bathroom and en-suite at first floor. Existing openings are utilised albeit in amended form in some examples with the main changes to the appearance relating to the insertion of windows within the roof and the addition of the single storey lean-to extension, the foundations of which have already been created. The existing corrugated iron roof is to be replaced by a natural slate roof with the insertion of uPVC woodgrain windows and doors. The created stone access from the existing track terminates with a parking and turning area, with the creation of an amenity garden area surrounding the barn. Foul drainage would be via a septic tank with surface water drainage channelled into a soakaway within the application site area. Minor improvements to the existing access are proposed to ensure the provision of adequate visibility splays in the interests of highway safety.

PLANNING POLICY

This application has been considered against relevant policies of the Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP') and other relevant Welsh Government Guidance. The application site lies in the countryside as defined by the LDP, as such the following policies are of key relevance to the proposal:

Policy H5 Adaptation and re-use of rural buildings for residential use sets out the circumstances whereby the conversion of a building in the rural countryside into a residential dwelling can be considered acceptable. The policy replicates the advice set out in national guidance by stating that the conversion of such buildings to residential use should be the last resort and that all reasonable endeavours are first undertaken to establish an alternative economical/commercial use for the building as a means of maintaining such activities in the rural areas or that the building is converted into an affordable dwelling or is associated with

a wider scheme for business re-use.

In cases whereby it is confirmed that there is no alternative use, residential use (including affordable housing) of traditional rural buildings can be considered acceptable provided that the building is structurally sound and intact and that the conversion works can be carried out without extensive alteration, extension or re-construction and that the building demonstrates and retains sufficient quality of architectural features and traditional materials with no significant loss of the character and integrity of the original structure.

Policy GP1 Sustainability and High Quality Design is a general policy which promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing.

Policy EQ4 Biodiversity states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and where exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made.

Policy AH1 Affordable Housing states that a contribution towards affordable housing will be required on all applications which result in the creation of one or more new dwellings, including barn conversions. In the case of the creation of a single dwelling, this equates to a financial contribution which in this area is equivalent to £77.58 per sq m of the internal floorspace of the proposed property. Such a contribution to be secured by a Section 106 Unilateral Undertaking.

Other Welsh Government Guidance of relevance includes:

- Planning Policy Wales (8th Edition) January 2016
- Technical Advice Note 5 (TAN 5) - Nature Conservation and Planning (2009)

APPRAISAL

The key considerations of relevance to this case are whether the proposal complies with the requirements of Policy H5 of the Local Development, its impact upon the character and appearance of the existing barn, affordable housing, biodiversity impacts, impact on highway safety and impact upon the existing public right of way that crosses the site.

Policy H5 and impact upon the character and appearance of the building and wider area

The proposals represents a faithful conversion to the existing building and whilst there will be an additional extension, it is considered that the overall scale, siting and design of the lean-to extension are akin to a agricultural style extension and thus would not have an over-domesticated impact upon the overall character and appearance of the barn. The intended use of materials, including the replacement of the existing roof covering with natural slate is supported. A structural survey submitted with the application indicates that the existing building is of sound construction able to withstand the conversion works without substantial alterations or replacement. A marketing exercise carried out over a period of 21 months indicates that the property has been marketed for uses other than residential in accordance with the requirements of policy H5. The estate agent comments that the barn was

considered by many as too remote for passing trade, too small for industrial usage with a narrow access lane restricting use by large vehicles. As such, it is considered in principle that the proposed conversion of the traditional style building into a residential dwelling is acceptable having regard to the requirements of Policy H5 and would not have an unacceptable impact upon the character and appearance of the building or wider area.

Affordable housing

This application triggers the requirement for a contribution towards affordable housing under policy AH1 of the LDP. Following lengthy discussions, the applicant has agreed to pay the affordable housing contribution of £77.58 per sqm of the internal floorspace. This contribution has been secured by way of a Section 106 Unilateral Undertaking that has been duly completed.

Impact on biodiversity

The bat survey submitted with the application indicates the presence of a small number of bats and as such confirms that a European Protected Species Licence will be required from Natural Resources Wales (NRW) prior to the commencement of any work on the barn. No objections have been received from the Planning Ecologist or NRW, provided that conditions are imposed requiring the works to be carried out in accordance with the details set out in the bat survey and highlighting the need for an EPS licence.

Impact on highway safety

In terms of highways, the proposal seeks to utilise an existing access with some improvements and creation of the necessary visibility splay which requires minor trimming of hedgerows.

Impact on the Public Right of Way

Footpath 18/15 crosses the application site, immediately in front of the barn's western elevation in the location of the proposed extension. As such, construction of the extension would have the effect of blocking this right of way. The applicant is aware of this matter and has been in discussions with the Council's Right of Way team with a view of diverting the public right of way to follow the track rather than cross the barn and its proposed garden area. This will require a Public Right of Way Diversion Order under separate legislation which again the applicant is aware of. Nevertheless, a note will be inserted on the decision notice advising the applicant of the diversion requirement.

CONCLUSION

After careful consideration of the scheme as submitted it is considered that the proposal complies with the requirement of Policy H5 and would not have an unacceptable impact upon the character and appearance of the building or wider area. Sufficient safeguards are in place to avoid unacceptable impacts upon biodiversity and highway safety, and the applicant is already aware of the need for the diversion of a footpath which currently crosses the application site and is already in discussions with the Council's Right of Way team. A unilateral undertaking has been completed to secure a financial contribution towards affordable housing.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of two years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
 - 1:2500 scale Expanded Location Plan received 9 November 2015
 - 1:2500 and 1:500 scale Location and Block Plans received 9 November 2015
 - 1:250 scale Proposed Site Plan received 9 November 2015
 - 1:200 scale Site Access Plan received 9 November 2015
 - 1:50 scale Proposed Ground Floor Plan received 2 October 2017
 - 1:50 scale Proposed First Floor Plan received 2 October 2017
 - 1:100 scale Proposed Elevations received 2 October 2017
 - Ecological Survey by Kite Ecology dated May 2013 and as supplemented by letter from Kite Ecology dated 14 August 2015
 - Structural Survey by Pattern Associates Limited dated 20 August 2015
- 3 The new vehicular access shall be laid out and constructed strictly in accordance with Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 4 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary and shall open inwards into the site only.
5. Prior to any use of the access by vehicular traffic, a visibility splay (to the south side) of 2.4 metres x 160 metres and 2.4m x 43 metres (to the north side) shall be formed and thereafter retained in perpetuity, to the respective sides of the centre line of the access road in relation to the nearer edge of carriageway.
6. The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
7. The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
8. The existing access shall be reduced in width to 5.0m, when measured from the south side, so that no part of the access falls within the slip road section to the adjacent junction to the north of the access.
9. The access shall be hard-surfaced in a bonded material for a minimum distance of 5.0 metres behind the nearside edge of carriageway prior to any part of the development approved herewith being brought into use.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2 In the interest of clarity as to the extent of the permission.

3 - 9 In the interest of highway safety.

REASONS FOR DECISION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- The proposed development complies with Policies H5, GP1, EQ4 and AH1 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the building is of a traditional rural character which has been demonstrated to be structurally sound and is of a sufficient size to accommodate the intended use without substantial alterations or reconstruction. Sufficient evidence has been provided to demonstrate that reasonable endeavour has been made to secure an alternative business use. The proposal would not give rise to highway safety concerns. Appropriate measures are imposed to avoid the potential to impact upon protected species. The application is accompanied by a Unilateral Undertaking to secure financial contributions towards affordable housing.

NOTES

- 1 The application site is crossed by a public right of way, footpath 18/15. The developer is advised that a Diversion Order will need to be applied for. In the meantime, the public right of way that must not be obstructed or encroached upon to maintain the free flow of all users.

An European Protected Species (EPS) licence issued by Natural Resources Wales is likely to be required for the above development and such a licence must be issued prior to any works commencing on the site. Please contact Natural Resources Wales via enquiries@naturalresourceswales.gov.uk or 0300 065 3000 for further information.

All British bat species are protected by virtue of the EC Habitats Directive, the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981. It is an offence to intentionally kill, injure, take from the wild, possess or trade any species of British bat as well as intentionally or recklessly damage, destroy, or obstruct access to any structure or place which bats use for shelter or protection and to disturb bat(s) whilst they are using such a place. If bats are encountered all works must cease immediately and contact made with Natural Resources Wales via enquiries@naturalresourceswales.gov.uk or 0300 065 3000 for further advice.

- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

- Please see the relevant response from Dwr Cymru/Welsh Water and refer to the recommendations and advice contained therein.
- Please see the relevant response from Planning Ecology and NRW and refer to the recommendations and advice regarding British Bat species contained therein.

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/35041
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Application Type	Outline
Proposal & Location	AFFORDABLE DWELLING AT LAND ADJACENT, TALIARIS, MAESYCRUGIAU, PENCADER, SA39 9DH

Applicant(s)	JOANNE PRICE, 10 FOREST LANE TERRACE, LLANGYBI, LAMPETER, SA48 8LZ
Agent	CARTREF DESIGNS LIMITED - DARYL THOMAS, CARTREF, TY MAWR, LLANYBYDDER, SA40 9RB
Case Officer	David Roberts
Ward	Llanfihangel-ar-arthW/35041
Date of validation	01/02/2017

CONSULTATIONS

Llanllwni Community Council - No comments received.

Local Member - County Councillor Linda Davies Evans supports the application as the applicant meets the local needs eligibility criteria and has requested that if the application cannot be supported, the application should be determined by the planning committee.

Dwr Cymru/Welsh Water – No comments.

Head of Transport – No observations.

Natural Resources Wales - No adverse comments.

Land Drainage - Requested that a condition be included that the Surface Water Drainage scheme for the development needs to be agreed and signed off by the Land Drainage Section

Head of Public Protection - has expressed concerns about the suitability of the locality for a residential dwelling due to the proximity to the large sawmill business, which it is understood has recently had a large extension granted. Have requested that a Noise Impact Assessment be provided.

Neighbours/Public – Site Notices were erected in the vicinity of the application site and no objections to the proposal were received.

SITE HISTORY

There is no relevant site history.

THE SITE

The site is located in countryside to the north-west of the settlement of Llanllwni on the edge of the Teifi valley. The site is accessed from the A485 Carmarthen to Lampeter Road via a county road that leads in the direction of Maesycrugiau.

The application site is a plot approximately 41 metres x 31 metres and sits within a field enclosure to the east of Taliaris, a small holding which is situated approximately 50 metres west of the application site. Immediately to the south of the application site there is a large sawmill complex, (Teifi Timber Products Ltd, Llanllwni Saw Mills). Access to the site is from an existing private road that leads to Taliaris and the rear of the sawmill complex.

THE PROPOSAL

The application seeks outline planning permission for an affordable dwelling with all matters reserved for future consideration for the daughter of the residents at Taliaris. The site is approximately 41 metres wide x 31 metres in depth on a relatively level area of pasture land, the proposed dwelling is to be accessed via a new driveway off the private road. An indicative layout has been provided showing the access and parking arrangements and the location of a dwelling with a footprint measuring 8-14 metres in width and 13-18 metres in length and an indicative height to ridge level of between 5-9 metres. As the plan is indicative only, it is sufficient to demonstrate that the application site is large enough to accommodate a dwelling.

The application is made under the affordability/local need eligibility criteria. A planning application supporting statement has been submitted with details of the applicant's circumstances and a local needs case in support of the application. It is conveyed that:-

- The applicant has lived in the local area all her life
- The applicant needs to live closer to provide care and support for her elderly parents who she visits on a daily basis and also helps with the upkeep of Taliaris.
- The applicant is currently living in temporary rented accommodation.
- The proposal accords with the general criteria of the relevant LDP Affordable housing policies in that the application site is located within a small cluster of dwellings.
- There are no building plots/properties available close to her parents within the applicant's financial means.

PLANNING POLICIES

In the context of the current development control policy framework, the site lies in open countryside outside the defined settlement limits for any town or village. The supporting statement with the proposal make reference to Policy AH3 of the Local Development Plan; the application falls to be considered against the following policies as contained in the LDP and Planning Policy Guidance Wales Edition No 9 :-

Policy AH3 Affordable Housing – Minor Settlement in the Open Countryside

Proposals in the open countryside for affordable housing for a single dwelling will be permitted within settlements, hamlets and groups of dwellings without Development

Limits where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:

- a. It represents sensitive infill development of a small gap within an otherwise continuous built up frontage; or, a minor extension which does not result in ribbon development or perpetuate existing ribbon development;
- b. It is of a scale and size appropriate to, and in keeping with (and not detrimental to) the character (including landscape and townscape) of the area;
- c. The benefits of the initial affordability will be retained for all subsequent occupants;
- d. It is of a size, scale and design compatible with an affordable dwelling and is available to those on low or moderate incomes.

Policy GP1 Sustainability and High Quality Design

Development proposals will be permitted where they accord with the following:

- a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;
- c) Utilises materials appropriate to the area within which it is located;
- d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e) Includes an integrated mixture of uses appropriate to the scale of the development;
- f) It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g) It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);
- h) An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;
- i) It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j) It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k) It has regard to the generation, treatment and disposal of waste.
- l) It has regard for the safe, effective and efficient use of the transportation network;
- m) It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design (2014)).

SP1 Sustainable Places and Spaces

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a) **Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;**
- b) **Promoting, where appropriate, the efficient use of land including previously developed sites;**
- c) **Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;**
- d) **Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;**
- e) **Creating safe, attractive and accessible environments which contribute to people's health and wellbeing and adhere to urban design best practice;**
- f) **Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;**
- g) **Utilising sustainable construction methods where feasible;**
- h) **Improving social and economic wellbeing;**
- i) **Protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.**

Planning Policy Guidance Wales Edition No 9 (Paragraph 9.2.22, 9.3.1- 9.3.3)

9.2.22 In planning for **housing in rural areas** it is important to recognise that development in the countryside should embody sustainability principles, benefiting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognising the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. Many parts of the countryside have isolated groups of dwellings. Sensitive filling in of small gaps, or minor extensions to such groups, in particular for affordable housing to meet local need, may be acceptable, but much depends upon the character of the surroundings, the pattern of development in the area and the accessibility to main towns and villages.

9.3.1 New housing developments should be well integrated with and connected to the existing pattern of settlements. The expansion of towns and villages should avoid creating ribbon development, coalescence of settlements or a fragmented development pattern. Where housing development is on a significant scale, or where a new settlement or urban village is proposed, it should be integrated with existing or new industrial, commercial and retail development and with community facilities.

9.3.2 Sensitive **infilling** of small gaps within small groups of houses, or minor extensions to

groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area. Significant incremental expansion of housing in rural settlements and small towns should be avoided where this is likely to result in unacceptable expansion of travel demand to urban centres and where travel needs are unlikely to be well served by public transport. Residential development in the vicinity of existing industrial uses should be restricted if the presence of houses is likely to lead residents to try to curtail the industrial use.

9.3.3 Insensitive infilling, or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.

ASSESSMENT & CONCLUSION

The three key issues in this instance are whether this local needs dwelling proposal complies with national planning policies and Local Development Plan Affordable Housing Policies for the area, the impact of the proposed dwelling on the open countryside / landscape character of the locality, and the potential impact of the proposed dwelling on the existing adjoining employment usage.

With regard to the first key issue, does the proposal comply with the Authority's LDP policies in relation to the provision of affordable housing in the open countryside, it is considered that the application site does not meet the requirements of policy AH3 of the Local Development Plan as the site does not adjoin or form part of a hamlet or group of dwellings. The site would to a certain extent be screened by the neighbouring sawmill complex, however the nearest residential property is Taliaris which is situated 50 metres west of the application site. The aforementioned policy does not allow for sporadic residential dwellings in the open countryside. National planning guidance also states that new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled.

In relation to the second key issue of the impact of the proposed dwelling on the open countryside and the landscape character of the area, although the proposed dwelling would be screened from the south by the existing sawmill complex, the proposed development would encroach into an agricultural field which at present is free from any form of built development, the field is clearly visible from the county road and provides an attractive landscape buffer between the sawmill and the county road. Consequently the proposed dwelling would appear as an isolated and piecemeal domestic structure in stark contrast to its strongly rural context and would therefore conflict with the Council's landscape protection objectives and its policies relating to the countryside including LDP Policy GP1 which amongst other things seeks conformity with the character and appearance of the site and area and to protect the landscape character of the county.

In considering the third issue of the potential impact of the proposed dwelling on the existing adjoining employment use, it is considered that the existing employment usage would have a significant impact on the amenity of the occupiers of the proposed dwelling due to the significant levels of noise generated by the sawmill and may lead occupiers to try and curtail its industrial operations, The Head of Public Protection has also raised concerns in regard to noise and has requested that a Noise Impact Assessment be provided. In July 2014 when

the sawmill was granted planning permission for a new access and an extension to the existing sawmill structure and an extension to the storage yard, a number of the local residents made representations expressing concern in regard to noise pollution and disturbance generated by the complex, so noise is already an concern for existing residents living in close proximity to the sawmill.

To avoid adjoining uses attempting to curtail the operational processes of the sawmill it is considered that new residential development in the immediate vicinity of this employment site should be strictly controlled. If Committee are minded to approve the application, a Noise Impact Assessment will be requested from the applicant for assessment prior to the release of the planning permission.

In light of the above it is considered that the application should be refused as the proposal does not meet the requirements of Policy AH3 of the Local Development Plan and is also contrary to local development plan policy and national planning policy guidance which seeks to protect the landscape character of the County and also to restrict new dwellings in the vicinity of existing adjoining employment usages where future occupiers may to try to curtail its industrial use.

RECOMMENDATION – REFUSAL

REASONS

- 1 The Proposal is contrary to Policy AH3 of the Carmarthenshire Local Development Plan which states:

**Policy AH3 Affordable Housing – Minor Settlement in the Open Countryside
Proposals in the open countryside for affordable housing for a single dwelling will be permitted within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:**

- e. It represents sensitive infill development of a small gap within an otherwise continuous built up frontage; or, a minor extension which does not result in ribbon development or perpetuate existing ribbon development;
- f. It is of a scale and size appropriate to, and in keeping with (and not detrimental to) the character (including landscape and townscape) of the area;
- g. The benefits of the initial affordability will be retained for all subsequent occupants;
- h. It is of a size, scale and design compatible with an affordable dwelling and is available to those on low or moderate incomes.

In that:

- The application site does not represent a sensitive form of infill development or a minor extension to a group of dwellings and if approved it would result in an inappropriate form of residential development in the open countryside. The proposal would extend the built development into an open field and appear as

an incursion into the surrounding countryside to the detriment of the rural character of the area. The proposal would create a fragmented pattern of development.

- 2 The proposal is contrary to Policy GP1 of the Carmarthenshire Local Development Plan, which states:

Development proposals will be permitted where they accord with the following:

- a) **It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;**
- b) **It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) **Utilises materials appropriate to the area within which it is located;**
- d) **It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;**
- e) **Includes an integrated mixture of uses appropriate to the scale of the development;**
- f) **It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;**
- g) **It achieves and creates attractive, safe places and public spaces, which ensures security through the ‘designing-out-crime’ principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);**
- h) **An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;**
- i) **It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;**
- j) **It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;**
- k) **It has regard to the generation, treatment and disposal of waste.**
- l) **It has regard for the safe, effective and efficient use of the transportation network;**
- m) **It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;**
- n) **It includes, where applicable, provision for the appropriate management and eradication of invasive species.**

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design (2014)).

In that:

- The proposal does not conform with or enhance the character of the area in

terms of siting. As such it would result in an inappropriate form of residential development in the open countryside. The proposal would extend the built development into an open field and appear as an incursion into the surrounding countryside to the detriment of the rural character of the area. The proposal would create a fragmented pattern of development.

- 3 The proposal is contrary to Policy SP1 of the Carmarthenshire Local Development Plan, which states:

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a) **Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;**
- b) **Promoting, where appropriate, the efficient use of land including previously developed sites;**
- c) **Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;**
- d) **Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;**
- e) **Creating safe, attractive and accessible environments which contribute to people's health and wellbeing and adhere to urban design best practice;**
- f) **Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;**
- g) **Utilising sustainable construction methods where feasible;**
- h) **Improving social and economic wellbeing;**
- i) **Protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.**

In that:

- It would result in an inappropriate form of residential development in the open countryside. The proposal would extend the built development into an open field and appear as an incursion into the surrounding countryside to the detriment of the rural character of the area. The proposal would create a fragmented pattern of development.

- 4 The proposal is contrary to Planning Policy Wales (Edition 9) paragraph 9.3.1- 9.3.3, which states:

9.3.1 New housing developments should be well integrated with and connected to the existing pattern of settlements. The expansion of towns and villages should avoid creating ribbon development, coalescence of settlements or a fragmented development pattern. Where housing development is on a significant scale, or where a new settlement or urban village is proposed, it should be integrated with existing or new industrial, commercial and retail development and with community facilities.

9.3.2 Sensitive **infilling** of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area. Significant incremental expansion of housing in rural settlements and small towns should be avoided where this is likely to result in unacceptable expansion of travel demand to urban centres and where travel needs are unlikely to be well served by public transport. Residential development in the vicinity of existing industrial uses should be restricted if the presence of houses is likely to lead residents to try to curtail the industrial use.

9.3.3 Insensitive infilling, or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.

In that:

- The proposal amounts to new residential development outside defined settlement limits. It is not considered to be sensitive infilling or an appropriate minor extension to a group of dwellings. The proposal would create a fragmented pattern of development. The proposal would extend the built development into an open field and appear as an incursion into the surrounding countryside to the detriment of the rural character of the area. The proposed dwelling would be in close proximity to an existing industrial use which generates significant levels of noise that could lead future occupiers to try to curtail the industrial use.

Mae'r dudalen hon yn wag yn fwriadol

Dydd Mawrth, 31 Hydref 2017

YN BRESENNOL: Y Cynghorydd A. Lenny (Cadeirydd)

Y Cynghorwyr:

S.M. Allen, L.R. Bowen, J.M. Charles, S.A. Curry, I.W. Davies, J.A. Davies,
P.M. Edwards, W.T. Evans, S.J.G. Gilasbey, J.K. Howell, J.D. James, C. Jones,
D. Jones, H.I. Jones, M.J.A. Lewis, K. Lloyd and K. Madge

Hefyd yn bresennol:

Y Cynghorydd G. Thomas, a fu'n annerch y Pwyllgor ynghylch ceisiadau cynllunio S/35265

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

K. James, Peiriannydd Cynorthwyol (Cydgysylltu Cynllunio)
S. Murphy, Uwch-gyfreithiwr
J. Thomas, Uwch Swyddog Rheoli Datblygu (y De)
K. Thomas, Swyddog Gwasanaethau Democraidd

Y Siambr, Neuadd y Sir - 2.00 - 4.40 pm

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr G. B. Thomas a J.E. Williams.

2. DATGAN BUDDIANNAU PERSONOL

Ni ddatganwyd unrhyw fuddiannau personol.

3. S/35875 - DATBLYGIAD PRESWYL - CAIS CYNLLUNIO AMLINELL AR GYFER 3 O BRESWYLFYDD AR WAHÂN (AILGYFLWYNO CAIS S/33484 - GWRTHODWYD YR APÊL AR 25/11/16) AR DIR GER HEN SOAR FACH, HEOL MYNACHLOG, PONTYBEREM, LLANELLI, SA15 5EY

(NODER: Seiniodd y larwm tân wrth ystyried yr eitem hon. O ganlyniad, gohiriwyd y cyfarfod am 2.50p.m., gan ailymgynnull am 3.10p.m.)

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu at ymweliad preifat y Pwyllgor â'r safle'n gynharach y diwrnod hwnnw (gweler cofnod 4.3 o gyfarfod y Pwyllgor Cynllunio ar 21 Medi 2017) a drefnwyd er mwyn i'r Pwyllgor asesu'r effaith bosibl y gallai'r datblygiad ei chael ar barcio ceir ac ar lif traffig. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad/atodiad ysgrifenedig y Pennaeth Cynllunio a oedd yn rhoi arfarniad o'r safle ynghyd â disgrifiad o'r datblygiad, crynodeb o'r ymatebion a gafwyd i'r ymgynghoriad a gwybodaeth am y polisiau lleol a chenedlaethol a oedd yn berthnasol wrth asesu'r cais. Rhoddwyd gwybod i'r Pwyllgor fod y Pennaeth Cynllunio yn argymhell cymeradwyo'r cais am y rhesymau a nodwyd yn ei hadroddiad ysgrifenedig ac yn amodol ar welliant Rhif 7 y manylwyd arno yn yr atodiad.

Daeth sylwadau i law a wrthwynebai'r cais, ac a ailbwysleisiai'r gwrthwynebiadau y manylwyd arnynt yn adroddiad y Pennaeth Cynllunio. Y prif feysydd a oedd yn peri pryder oedd y canlynol:-

- mwy o draffig ar y ffordd a'r peryglon posibl a allai ddeillio o hynny ar gyfer pobl eraill sy'n defnyddio'r ffordd a cherddwyr
- statws yr ardal barcio oddi ar y stryd a ddarperir fel rhan o'r datblygiad a ph'un a fyddai'r ardal barcio honno ar gael ar gyfer trigolion rhifau 41-44 yn unig, a fyddai'n cael ei tharmacio i safon briodol, a fyddai wedi'i goleuo a phwy fydd yn gyfrifol am gynnal a chadw'r ardal yn y dyfodol
- y posibilrwydd y gallai'r tai newydd edrych dros dai cyfagos

Ymatebodd yr Uwch-swyddog Rheoli Datblygu a'r Peiriannydd Cynorthwyol - Cydgysylltu Cynllunio i'r materion a godwyd

PENDERFYNWYD cymeradwyo cais cynllunio S/35875 yn unol â'r amodau y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio ac yn amodol ar welliant Rhif 7 y manylwyd arno yn yr atodiad.

4. S/35189 - LLEOLI DAU DY AR WAHÂN AR DIR AR SAFLE HEN FELIN GOED CWMBLAWD, HEOL LLANNON, PONTYBEREM, LLANELLI, SA15 5NB

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu at ymweliad preifat y Pwyllgor â'r safle'n gynharach y diwrnod hwnnw (gweler cofnod 4.3 o gyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 21 Medi 2017) a drefnwyd er mwyn rhoi cyfle i'r garfan newydd o Aelodau'r Pwyllgor Cynllunio ymweld â'r safle o ystyried mai 6 yn unig o'r aelodau presennol oedd yn aelodau'r Pwyllgor pan ymwelwyd â'r safle yn flaenorol ar 19 Ebrill 2017 cyn yr Etholiadau Llywodraeth Leol ym mis Mai 2017. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad ysgrifenedig y Pennaeth Cynllunio a oedd yn rhoi arfarniad o'r safle ynghyd â disgrifiad o'r datblygiad, crynodeb o'r ymatebion a gafwyd i'r ymgynghoriad a gwybodaeth am y polisiau lleol a chenedlaethol a oedd yn berthnasol wrth asesu'r cais. Rhoddwyd gwybod i'r Pwyllgor fod y Pennaeth Cynllunio yn argymhell gwrthod y cais am y rhesymau a nodwyd yn ei hadroddiad ysgrifenedig.

Daeth cynrychiolaeth i law yn cefnogi'r cais ar y sail yr ystyrir yr oedd safle'r cais yn rhan o glwstwr bychan o 8 eiddo, yr oedd wedi'i leoli ar lwybr bysys, yr oedd 1.7km yn unig i ffordd o bentref Pontyberem sy'n cynnwys amrywiaeth eang o wasanaethau, yr oedd y mynediad arfaethedig i'r safle wedi'i symud er mwyn gwella gwelededd, yr oedd yn ddigon mawr i ymdopi â'r cynnig ac roedd yr ymgeisydd wedi cytuno i dalu swm cyfnewid tuag at ddarparu tai fforddiadwy, yn unol ag argymhellion y Pwyllgor yn y cyfarfod ar 19 Ebrill.

Ymatebodd yr Uwch-swyddog Rheoli Datblygu a'r Peiriannydd Cynorthwyol - Cydgysylltu Cynllunio i'r materion a godwyd.

PENDERFYNWYD gwrthod cais cynllunio S/35189 am y rhesymau a nodwyd yn adroddiad ysgrifenedig y Pennaeth Cynllunio.

5. S/35791 - CODI PRESWYLFA NEWYDD, TIR YN 7 HEOL Y PWLL, Y PWLL, LLANELLI SA15 4BG

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu at ymweliad preifat y Pwyllgor â'r safle'n gynharach y diwrnod hwnnw (gweler cofnod 4.3 o gyfarfod y Pwyllgor Cynllunio ar 21 Medi 2017) a drefnwyd er mwyn i'r Pwyllgor asesu'r effaith bosibl y gallai'r datblygiad ei chael ar barcio ceir ac ar lif traffig. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad ysgrifenedig y Pennaeth Cynllunio a oedd yn rhoi arfarniad o'r safle ynghyd â disgrifiad o'r datblygiad, crynodeb o'r ymatebion a gafwyd i'r ymgynghoriad a gwybodaeth am y polisiau lleol a chenedlaethol a oedd yn berthnasol wrth asesu'r cais. Rhoddwyd gwybod i'r Pwyllgor fod y Pennaeth Cynllunio yn argymhell cymeradwyo'r cais am y rhesymau a nodwyd yn ei hadroddiad ysgrifenedig

Daeth cynrychiolaeth i law a wrthwynebai'r cais ac a ailbwysleisiai'r gwrthwynebiadau y manylwyd arnynt yn adroddiad y Pennaeth Cynllunio. Y prif feysydd a oedd yn peri pryder oedd bod y cynnig yn groes i Bolisi GP2, effeithiau'r cerbydau ychwanegol yn dod o'r safle datblygu ac o'r eiddo gwag cyfagos yn rhif 7 ar yr anawsterau o ran parcio cyfyngedig ar y stryd, y golau a fyddai'n cael ei golli yn yr eiddo cyfagos ar naill ochr y safle, ystyriwyd bod y datblygiad yn rhy fawr i'r llain ac os caiff y datblygiad ei gymeradwyo, dylai gael ei symud yn ôl er mwyn lleihau'r effaith ar eiddo cyfagos rhif 9A.

Ymatebodd yr Uwch-swyddog Rheoli Datblygu a'r Peiriannydd Cynorthwyol - Cydgysylltu Cynllunio i'r materion a godwyd

PENDERFYNWYD caniatáu cais cynllunio S/35791, yn amodol ar yr amodau y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio.

6. S/36018 - ADDASU AC EHANGU'R YSGUBOR I GREU RHANDY PRESWYL I AELODAU TEULU'R BRESWYLFA GYFAGOS, LLWYN Y RHOS, HEOL COOPERS, RHYDAMAN, SA18 3SH

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu at ymweliad preifat y Pwyllgor â'r safle'n gynharach y diwrnod hwnnw (gweler cofnod 3.2 cyfarfod y Pwyllgor Cynllunio ar 19 Hydref 2017) a drefnwyd er mwyn i'r Pwyllgor gael golwg ar y safle mewn perthynas â'r ardal gyfagos. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad ysgrifenedig y Pennaeth Cynllunio a oedd yn rhoi arfarniad o'r safle ynghyd â disgrifiad o'r datblygiad, crynodeb o'r ymatebion a gafwyd i'r ymgynghoriad a gwybodaeth am y polisiau lleol a chenedlaethol a oedd yn berthnasol wrth asesu'r cais. Rhoddwyd gwybod i'r Pwyllgor fod y Pennaeth Cynllunio yn argymhell gwrthod y cais am y rhesymau a nodwyd yn ei hadroddiad ysgrifenedig.

PENDERFYNWYD gwrthod cais cynllunio S/36018 am y rhesymau a nodwyd yn adroddiad ysgrifenedig y Pennaeth Cynllunio.

7. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO

7.1 PENDERFYNWYD gohirio ystyried y cais cynllunio canlynol er mwyn i'r Pwyllgor ymweld â'r safle:-

S/35265	<p>Newid arfaethedig i ddefnydd y tir ar gyfer gosod hyd at chwe charafán at ddibenion preswyl, gan gynnwys creu ffordd fynediad, tirweddu ac ati, ar dir yn Lôn y Sipsiwn, Llangennech, Llanelli, SA14 8UW</p> <p>Daeth cais i law i'r Pwyllgor ymweld â'r safle i gael golwg ar gyffordd Lôn y Sipsiwn â'r A4138 ar sail ei bod yn cael ei hystyried yn anaddas yn y cyd-destun ar gyfer y 26,000 o gerbydau, yn ôl yr amcangyfrif, a fydd yn teithio ar yr A4138 bob dydd. O ystyried y damweiniau traffig ffyrdd niferus a oedd wedi digwydd ar yr A4138, ystyriwyd bod gan y cynnig presennol botensial i gynyddu'r perygl o ddamweiniau pellach.</p> <p>Yn unol â phrotocol y Pwyllgor Cynllunio roedd y gwrthwynebwyr oedd wedi gofyn am gael siarad ynghylch yr eitem hon wedi dewis cyflwyno eu sylwadau yn y cyfarfod ar ôl yr ymweliad â'r safle.</p> <p>Y RHESWM: galluogi'r Pwyllgor i gael golwg ar y mynediad i Lôn y Sipsiwn wrth y gyffordd â'r A4138.</p>
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8. RHANBARTH Y GORLLEWIN - - PENDERFYNU AR GEISIADAU CYNLLUNIO

PENDERFYNWYD

5.1 cymeradwyo'r cais cynllunio canlynol yn amodol ar yr amodau a nodwyd yn adroddiad/Atodiad y Pennaeth Cynllunio a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod:-

W/36168	Estyniad ar gyfer Lolfa Haul yn Nhŷ Lilly Wen, Nant-y-caws, Caerfyrddin, SA32 8EP
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CADEIRYDD

DYDDIAD