

Pecyn Dogfennau



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

DYDD LLUN, 24 MEDI 2018

AT: HOLL AELODAU'R PWYLLGOR CYNLLUNIO

AGENDA DIWYGIEDIG

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R
**PWYLLGOR CYNLLUNIO A GYNHELIR YN Y SIAMBR, NEUADD Y SIR AM
11.30 AM, DYDD MAWRTH, 2AIL HYDREF, 2018** ER MWYN CYFLAWNI'R
MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democraidd:	Kevin Thomas
Ffôn (llinell uniongyrchol):	01267 224027
E-bost:	Democraticservices@sirgar.gov.uk
Cyf:	AD016-001



EICH CYNGOR **arleinamdani**
www.sirgar.llyw.cymru
YOUR COUNCIL **doitonline**
www.carmarthenshire.gov.wales

PWYLLGOR CYNLLUNIO 20 AELOD

Y GRŴP PLAID CYMRU – 10 AELOD

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

Y GRŴP LLAFUR – 6 AELOD

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

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

Aelodau Lleol a gwahoddir i fynychu'r cyfarfod:-

Eitem 3 – Cyngorwyr K. Davies a C.J. Harris

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGAN BUDDIANNAU PERSONOL
3. E/37292 - CODI GAREJ AR WAHÂN Â THO Â PHIG, 125 HEOL SARON, SARON, RHYDAMAN, SA18 3LH 5 - 10
4. RHANBARTH Y DWYRAIN - PENDERFYNU AR GEISIADAU 11 - 28
5. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU 29 - 44
6. RHANBARTH Y DWYRAIN - PENDERFYNU AR GEISIADAU 45 - 76
7. LLOFNODI YN COFNOD CYWIR COFNODION Y CYFARFOD A GYNHALIWYD AR 4YDD MEDI, 2018 77 - 78

Mae'r dudalen hon yn wag yn fwriadol

Application No	E/37292
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Application Type	Full Planning
Proposal & Location	ERECTION OF A DETACHED GARAGE WITH APEX ROOF AT 125 SARON ROAD, SARON, AMMANFORD, SA18 3LH

Applicant(s)	MR ANDREW MASKELL, 125 SARON ROAD, SARON, AMMANFORD, SA18 3LH
Agent	,
Case Officer	Andrew Francis
Ward	Saron
Date of validation	24/05/2018

CONSULTATIONS

Llandybie Community Council – Offers no objection, instead advises that Planning Officers need to satisfy themselves that all reasons for previous refusals have been addressed in the current application.

Local Members - County Councillor K Davies has not commented to date. County Councillor C Harries has raised queries and objections to the proposal. The points of objection are summarised as follows:

- The proximity of the proposed garage would mean excess rainwater would fall on the neighbours land and/or the guttering would be hanging over the neighbour's land.
- The wall is positioned outside the neighbouring front door which prevents adequate light entering the property.
- The foundations of the wall are arguably not sound. It is built on a small wall which was not built to withstand the weight of the wall which has been built or the one proposed. Its integrity probably needs an urgent inspection to see if it is structurally sound.
- The garage has been refused by the LPA on four previous occasions and the applicant has lost two appeals to the Planning Inspectorate. Why hasn't enforcement action been taken against the wall?

Neighbours/Public - Two neighbour consultation letters were sent out as a result of the consultation process, with one letter of objection having been received in reply. The grounds of objection refer to;

- The overbearing nature of the existing wall is horrendous, but the possibility of an even higher wall and garage is horrendous.
- The proposed roof plan will result in excess rainwater and snow will, regardless of guttering systems, will find its way onto the neighbouring access path and the gutters will overhang.
- The loss of light will lead to mould growth on the lower aspects of the neighbour's house and the proposed building itself.
- Inability to move furniture and large items in and out of the main doorway.
- The outer wall of the planned garage has been erected on a small wall originally built to support the pathway. Cracks are now appearing along the path and along the bottom of the house. Any further weight could cause collapse. This could be catastrophic as the main sewerage pipe for 2 properties runs underneath it.

RELEVANT PLANNING HISTORY

E/34372 -	Erection of attached garage to side elevation with pitched roof - single storey. Full Planning Refused	10 November 2016
E/29807	Erection of attached side elevation garage with pitched roof. Full Planning Refused Appeal Dismissed	17 July 2014 25 February 2015
E/28383	Erection of attached side elevation garage with pitched roof Full Planning Refused Appeal Dismissed	8 July 2013 28 January 2014
E/26365	Side Elevation Garage with Pitched Roof Full Planning Refused	31 July 2012
E/00781	Two Storey Extension Full Planning Permission	11 December 2001

APPRAISAL

THE SITE

The application site is a semi-detached house located immediately at the rear of the footway along the eastern flank of Saron Road, opposite the Cefncrug residential cul-de-sac. The modest two-storey dwelling of rendered elevations with a natural slate roof covering has a large two storey, flat roof, rear extension that projects 1.3m beyond the side elevation of the house, in front of which is an off-road parking area.

THE PROPOSAL

The application details the provision of a new single storey garage to be constructed offset towards the rear of the north eastern side of the existing extension. The applicant has made several attempts at applying for a garage directly adjacent to the side of his dwellinghouse which have all been refused. The initially refused garage was proposed to

have a pitched roof with a central ridge running parallel to the front elevation. This created a tall facade immediately in front of the front door of the adjacent dwelling which was deemed unacceptable, a view which was backed by a Planning Inspector. However, discussions during that application stated that if the proposed garage were to have a simple lean to roof off the side of the existing dwelling, this would have been previously acceptable. However, when this was submitted, the application was again refused at Planning Committee under reference E/29807 and also refused at appeal.

This current application seeks to remedy the issues highlighted in the previous appeal by moving the garage rearwards on the plot by approximately 5 metres. This brings the front of the garage behind the front door of the neighbour's dwelling, and will allow for the existing boundary wall to be taken down. Both will improve the amount of light and sense of space felt by the neighbours at the front door. The proposed garage extension measures 8.46 metres in length by 3.77 metres in width. Whilst it would present an eaves height at its lowest level on the land associated with 125 Saron Road at 2.4 metres in height, due to the drop in height between 125 Saron Road and 127 Saron Road, the Eaves height would appear as 3.4 metres. The roof is to be pitched as there is no longer a wall to tie a lean to roof to. The overall height of the garage measures 4.4 metres.

Externally, the walls are to be rendered and the roof is to be finished in fibre cement slates.

PLANNING POLICY

The development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 consists of the Carmarthenshire Local Development Plan (LDP) adopted in December 2014.

Policy GP6 is relevant and in this instance requires that any extension should be subordinate and compatible to the size, type and character of the existing dwelling; the materials should complement that of the existing dwelling; should not lead to inadequate parking, utility, amenity or vehicle turning areas and the local environment; the use of the proposed extension is compatible with the existing dwelling and the amenities of the occupiers of neighbouring buildings should not be adversely affected.

THIRD PARTY CONCERNS

Two neighbour consultation letters were sent out as a result of the consultation process, with one letter of objection having been received in reply. County Councillor C. Harries has also objected to the proposal. The grounds are summarised and are discussed as follows:

- The overbearing nature of the existing wall is horrendous, but the possibility of an even higher wall and garage is horrendous.

With regard to this point, the previous applications argued that the front wall directly in front of the neighbouring dwelling's front door, which is set lower would indeed cause harm to the amenity of the neighbours. This is despite the permitted development fall-back position which the applicant has demonstrated by building a wall on the boundary with the benefit of permitted development.

The proposed garage could potentially be a significant improvement on both the previous application and the current situation as the proposed structure will be moved behind the

line of the neighbour's front door. If this is approved, the applicant has advised that he would be agreeable to taking down one course of blocks off the boundary wall. This would mean that the neighbour will have more daylight entering the dwelling through the front door opening and, as more light is penetrating the pathway, less mould will build up.

The applicant could, if refused retain the boundary wall, and in fact make it taller as it is not yet at the full two metre height allowed by permitted development. As such, it is felt that the proposed building offers an improved scenario.

- The proposed roof plan will result in excess rainwater and snow will, regardless of guttering systems, will find its way onto the neighbouring access path and the gutters will overhang.

With regard to this point, it is the responsibility of the applicant to ensure that the proposed garage and guttering system proposed is adequate and maintained to be adequate, to ensure that no rainwater should fall upon the neighbours land.

- The loss of light will lead to mould growth on the lower aspects of the neighbour's house and the proposed building itself.

As discussed in the first point above, the proposal will actually allow more light than the current situation as the boundary wall will be removed and the garage will be set back behind the neighbour's front door. As such, this will be an improvement upon the current levels of light received.

- Inability to move furniture and large items in and out of the main doorway.

It would appear that the neighbours are objecting to plans that resemble a previous application as the current proposal allows much more space around the front door area than the existing situation with the boundary breezeblock wall would allow. If the garage was to be moved back behind the neighbours main door line, there would be much more space available for bulky items to enter the house in this location.

- The outer wall of the planned garage has been erected on a small wall originally built to support the pathway. Cracks are now appearing along the path and along the bottom of the house. Any further weight could cause collapse. This could be catastrophic as the main sewerage pipe for 2 properties runs underneath it.

It will be the responsibility of the applicant to ensure that any construction works are carried out safely and the applicant would be liable to any remedial costs should the work damage any neighbouring land. Typically, this is considered under the Party Wall Act etc.

- The garage has been refused by the LPA on four previous occasions and the applicant has lost two appeals to the Planning Inspectorate. Why hasn't enforcement action been taken against the wall?

With regard to this final point, as alluded to above, the existing breezeblock wall that has been built by the applicant is permitted development – the applicant can build a boundary wall up to 2 metres in height on the boundary without planning permission. As such, this wall cannot be enforced against.

CONCLUSION

In light of the above, the proposed detached garage is now considered to be an acceptable form of development. It is subordinate to the existing dwelling and is of a size and design that complements the character of the existing dwellinghouse, whilst retaining adequate amenity space to serve the dwelling.

Despite the objections, the proposed garage would improve the current levels of amenity and privacy of the occupiers of the neighbouring dwelling in particular, as the wall that has been built under permitted development will be removed. As such, given this fact, it is considered that the proposal complies with policy GP6 and the objections cannot be sustained. As such, the proposal is recommended for approval.

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 shall be carried out strictly in accordance with the following approved plans received on 17 May 2018:
 - The 1:1250 scale Location Plan,
 - The 1:100 scale Proposed Elevations, Garage, Floor Plan and Section
- 3 The garage hereby approved shall be used for the domestic and ancillary needs of the occupiers of 125 Saron Road, Saron, Ammanford only. It shall not be used for any trade, business or commercial purposes.

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 In the interest of residential amenity

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 GP6 of the LDP in that the garage represents an acceptable form of development which is appropriate to the character and appearance of the host building and surrounding area and will not have an unacceptable impact upon the residential amenity of nearby properties.

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 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.

**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 02 HYDREF 2018
ON 02 OCTOBER 2018**

**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:	02 OCTOBER 2018
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE No's
E/37720	Erection of a steel portal framed building, with concrete panel walls and box profile steel sheeting to the eaves for use of a covered manure store, together with all other associated works at Godre Garreg, Llangadog, SA19 9DA	15-27

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/37720
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Application Type	Full Planning
Proposal & Location	ERECTION OF A STEEL PORTAL FRAMED BUILDING, WITH CONCRETE PANEL WALLS AND BOX PROFILE STEEL SHEETING TO THE EAVES FOR USE OF A COVERED MANURE STORE, TOGETHER WITH ALL OTHER ASSOCIATED WORKS AT GODRE GARREG, LLANGADOG, SA19 9DA

Applicant(s)	TV HUGHES AND CO - EIFION HUGHES, GODRE GARREG, LLANGADOG, SA19 9DA
Agent	ROGER PARRY & PARTNERS CARMARTHEN - GAIL LEWIS, C/O THE ESTATES OFFICE, 20 SALOP ROAD, OSWESTRY, SY11 2NU
Case Officer	Kevin Phillips
Ward	Llangadog
Date of validation	23/08/2018

CONSULTATIONS

Head of Transport – Offers no observations on the application.

Head of Public Health & Protection –The proposal is required to be operated in accordance with the Management Plan submitted and that all vehicles used for the movement of manure shall be sheeted and fully covered.

Head of Corporate Property – is satisfied that there is a liquid effluent trap for the store. Overall, there is no issue with this proposal provided that there is satisfaction with the vehicle movements generated and the requirement for an external contract to satisfy waste removal requirements.

Llangadog Community Council – No comments received to date.

Local Member– County Councillor A James has not commented to date.

Natural Resources Wales – has significant concerns regarding controlled waters at the proposed development site and have requested that the applicant provides full details and specification of the design and construction of the base and walls of the manure store and full details on the size and capacity of the manure store to ensure that the store is built to appropriate standards to reduce the risk of polluting effluents entering controlled waters.

Dwr Cymru/Welsh Water- If the Local Planning Authority are minded to grant Planning Consent for the proposal that the conditions and advisory notes in relation to foul and surface water are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Neighbours/Public – This application has been publicised by the display of a site notice in the vicinity of the application site and 14 letters of objection have been received. The reasons of objection are summarised below:-

- The proposal is a large scale building that will be detrimental to the visual amenity of the landscape.
- There is concern regarding the storage and spread of manure.
- The proposal will result in highway safety problems with vehicles accessing and exiting the site and generating excessive traffic.
- The proposal will be detrimental to local living conditions as a result of noise and smells.
- There will be a devaluation of local properties.
- The proposal will impact upon the tourism of the locality.
- The proposal is within the river Tywi flood zone and there will be pollution of the environment as a result.
- The displacement of the flood water from the two buildings will cause flooding in other areas
- There will be an increase in rats and fly infestation.
- There are no run-off or drainage plans for the proposed development.
- The construction on the poultry unit has commenced before the planning permission granted for the manure store.
- No ammonia plan has been submitted with the manure store application.
- The proposal should require an Environmental Impact Assessment in conjunction with the approved poultry unit
- There will be dust generated from the use of the manure store.

PLANNING HISTORY

E/33695 Full planning for the erection of a poultry unit on farm to accommodate free range chickens (egg production) together with associated feed bins, Internal farm access and associated works.
Approved

6 July 2018

APPRAISAL

THE SITE

The application site is an area of agricultural land adjacent to Godre Garreg farm, Llangadog, which is approximately 1 kilometre south-west of the village of Llangadog and adjacent to the Carregsawde Common. Access to the site is from an unclassified road that runs across Carregsawdde Common and ends at Devanah and Dolau farm. The nearest residential property is Bancyfelin which is approximately 60 metres east of Godre Garreg farmhouse.

THE PROPOSAL

The application seeks planning permission to demolish an existing dutch barn and the erection of a 36.5m x 18.3m and 8.28 m to ridge manure store, to serve the storage needs of the poultry unit recently granted approval under planning reference E/33695. The building will have 3.6 metre high concrete panels with juniper green/slate grey box profile sheets above to the eaves and grey fibre cement sheets covering the roof. The north-western elevation will have a central 4.5 m x 4.5 m roller shutter door. The proposed building will be sited approximately 82 metres away to the south west from the closest residential property, Bancyfelin and will be approximately 15 metres to the North of the siting of the proposed poultry unit.

PLANNING POLICY

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

Policy SP14 is a strategic policy that requires that development should reflect the need to protect and wherever possible enhance the County's natural environment and should be considered in accordance with national guidance/legislation and the policies and proposals of this plan.

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.

Policy EMP 4 provides advice on the consideration of farm diversification proposals, and requires that it is subordinate to, compatible with and supports the continued operation of the agricultural activity of the existing working farm; is of a scale and nature appropriate to the existing farm operation; the scale and nature of the activity is compatible with its accessibility to public transport and the need for local highway improvements; the scale and scope of any retail use (where planning permission is required) would not have an adverse impact on the vitality and viability of retail facilities in nearby settlements, or would undermine the retail hierarchy (see policy RT1); it would not have an adverse impact on the character, setting and appearance of the area and the surrounding landscape and where appropriate, townscape.

Proposals should give priority to the conversion of suitable existing buildings on the working farm. Where justified new building should be integrated with the existing working farm complex and not detrimental to the respective character and appearance of the area and surrounding landscape.

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.

Policy EQ4 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, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that the impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements; there are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.

Policy EQ6 states that Special Landscape Areas are designated in specific locations and proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted (subject to the policies and proposals of the Plan).

Policy EP1 requires that proposals for development will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality. Watercourses will be safeguarded through biodiversity/ecological buffer zones/corridors to protect aspects such as riparian habitats and species; water quality and provide for flood plain capacity. Proposals will be permitted where they do not have an adverse impact on the nature conservation, fisheries, public access or water related recreation use of the rivers in the County. Proposals will wherever possible be required to make efficient use of water resources.

Policy EP2 requires that proposals should wherever possible seek to minimise the impacts of pollution. It will be required to demonstrate proposals do not conflict with air quality strategy, cause deterioration in water quality, ensure that light and noise pollution are minimised and ensure that risks arising from contaminated land are addressed.

Policy EP3 requires that proposals for development will be required to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Drainage Systems (SUDS), has been fully investigated. The details and options resulting from the investigation must show that there are justifiable reasons for not incorporating SUDS into the scheme in accordance with section 8 of TAN 15.

Nationally, Technical Advice Note 6 "Planning for Sustainable Rural Communities" (July 2010) provides guidance on the subject of new agricultural buildings that requires local planning authorities seek to ensure such development is essentially required at that location, sensitively related to existing settlement patterns and landscape features, and is

of an appropriate size, scale and design. These principles serve to ensure the proposal is justified, and complements rather than detracts from the site and surroundings in which it is proposed.

THIRD PARTY REPRESENTATIONS

The details in relation to the letters of objection received shall be considered herewith.

The proposal is a large scale building that will be detrimental to the visual amenity of the landscape.

The proposed manure storage building is to be sited in between the approved poultry unit and the existing agricultural buildings at the farm. The ridge of the proposed building will be 8.3 metres above the ground level and whilst the height will be higher than the proposed poultry unit at 8.2 metres with the chimneys; it does not excessively exceed the height of the existing agricultural buildings at the farm. The comments of the Landscape Officer are awaited in order to establish whether there is any concern regarding the proposed development.

There is concern regarding the storage and spread of manure.

The updated manure management plan considers the requirements of the current Glastir agreement. The plan shows that there is insufficient land available to apply all the poultry manure produced. The excess is to be exported off the holding by a (specialised) contractor. The plan also refers to the construction of a new manure store on the holding. NRW has confirmed that the nutrient management plan is based on soil samples taken in 2013 is acceptable, commenting that the applicant should refer to best practice and be aware that the soil nutrient levels should be checked every three to five years to give a suitable baseline for the production of the nutrient management plan.

The approved poultry unit was the subject of a detailed consideration by NRW, including the assessment of manure and nutrient management plans and the undertaking of a TLSE that concluded that the proposal shall not have a significant effect on the River Tywi Special Area of Conservation.

NRW have requested further information in relation to the design and construction of the base and walls of the manure store and full details on the size and capacity of the manure store to ensure that the store is built to appropriate standards to reduce the risk of polluting effluents entering controlled waters. The full response to consultation for this application by NRW remains outstanding and will be further reported to the planning committee. In addition, the response by the Planning Ecologist is also awaited.

The proposal will result in highway safety problems with vehicles accessing and exiting the site.

The proposed poultry unit has been considered in detail by the Head of Transport in relation to the vehicular movements, visibility splays and turning facilities and the proposal has been supported subject to the application of relevant conditions. This includes a passing bay within highway limits, at the western edge of Llangadog common, opposite Dolgarreg. The Head of Transport has conveyed that there are no observations raised in this application for the proposed manure store.

The proposal will be detrimental to local living conditions as a result of noise and smells.

The approved poultry unit received a favourable recommendation from the Head of Public Health and Protection subject to the imposition of a number of relevant conditions on that permission. In this application, it is conveyed that the proposal is required to operate in accordance with the Management Plan submitted and that all vehicles used for the movement of manure shall be sheeted and fully covered. The formal consultation response is awaited in terms of the noise aspects of the proposed development.

There will be a devaluation of local properties

This is not a material planning consideration in the determination of the application.

The proposal will impact the tourism of the locality.

It is not considered that an agricultural building in connection with the approved poultry unit as a diversification scheme to an existing farming enterprise will have any significant harm to the tourism of the locality. It is appreciated that there is a small scale exempted caravan site approximately 170 metres south at Ty Newydd, however the retention and strengthening of the landscape features will not result in the proposal having any harmful impacts on the caravan site.

The proposal is within the flood zone and there will be pollution of the environment as a result.

Following the submission of detailed information for the approved poultry unit to Natural Resources Wales, including the determination of a TLSE, the proposal received their support, in that any fluvial flood risk to the unit was likely to be negligible. The response from NRW in this application has not raised any concern in terms of significant risk through pollution of the local rivers as a result of flooding.

The displacement of the flood water from the two buildings will cause flooding in other areas

It is not considered that there will be any significant increase to the flooding in the locality with the addition of a second building which will not be sited within the river Tywi flood zone.

There will be an increase in rats and fly infestation.

It is considered that as far as flies are concerned, they could be controlled by way of Statutory Nuisance powers under the Environmental Protection Act 1990, this would include management practices at the unit to ensure fly larvae etc are controlled as conveyed in the Design and Access Statement submitted with the poultry unit application. Rats can be controlled via pest control treatments, and minimising access to foodstuffs etc and legal notices for rodent problems can be served if deemed necessary.

There are no run-off or drainage plans for the proposed development

A liquid effluent trap will be installed at the front of the manure store for the collection of any effluent from the store. The store will be sealed therefore there will be no additional rainwater entering the unit and creating liquid/effluent.

The construction on the poultry unit has commenced before the planning permission granted for the manure store

Condition 14 of the poultry unit planning permission (E/33695) included the following requirement:

“Within one month of the granting of this planning permission the applicant shall submit a planning application for the erection of a covered manure store at Godre Garreg farm, Llangadog. No work shall commence on the poultry unit hereby approved until the covered manure store has also been granted planning permission and the poultry unit shall not be operational until the covered manure store has been completed and is ready to be used in association with the approved poultry unit.”

Whilst the above condition required the approval of the manure store before work commenced on the poultry unit, and a site visit has established that ground work for the poultry unit has commenced, the Local Planning Authority is required to determine whether there is an expediency for the Local Planning Authority to commence enforcement action at this stage.

Although it is not a criminal offence to carry out development without first obtaining any permission and this is to be discouraged, the decisive issue for the LPA should be whether the unauthorised development would unacceptably affect public amenity. As the proposed manure store is a scheme that will functionally support the approved poultry unit and there is no justification to refuse the planning application presently, it is considered that there is no expediency in pursuing enforcement action. The reasonable remedy to the situation would be to allow the manure store to be developed in accordance with the recommended conditions and the approved poultry unit to be operational when the manure store has been erected for use.

No ammonia plan has been submitted with the manure store application

NRW have not requested a further ammonia report for the manure store and it is presumed that the report submitted within the poultry unit application is acceptable.

The proposal should require an Environmental Impact Assessment in conjunction with the approved poultry unit

Following the screening exercise the approved poultry unit was not considered to require an EIA and with the addition of the proposed manure store the Local Planning Authority had to determine whether there are likely to be any significant environmental effects as a result of the additional building for manure storage being developed. Whilst a favourable response to consultation on the poultry unit was received from NRW and the Authority's Planning Ecologist in relation to the TLSE, and it was considered that the proposed development will not have a significant impact upon the local environment, it remains that NRW's final response to consultation has yet to be received and also the Authority's Planning Ecologist's consultation response on this application has yet to be received. However, taking into consideration all the details and aspects of the proposed manure

store as submitted in the application, it has been determined that the proposed manure store does not require an Environmental Impact Assessment.

There will be from dust from the use of the manure store

The Head of Public Health & Protection has conveyed that the proposal is required to operate in accordance with the Management Plan submitted and that all vehicles used for the movement of manure shall be sheeted and fully covered, which should satisfactorily result in any dust problems being resolved.

CONCLUSION

The proposed manure building is sited adjacent to Godre Garreg farmyard and is intended to serve the manure storage needs of the poultry unit recently approved.

This application is in addition to the poultry unit and it is considered that the principal concern in relation to smells and noise can be appropriately controlled with the professional management of the business and adherence to conditions applied to both the planning permission for the poultry unit and in this application. Although there would be negligible odour from the buildings when in operation, there may be some odour from the buildings during the cleaning period, which is for a short period of time every 14 months and this is not considered significant enough to warrant a negative determination of the proposal.

The Head of Transport has no observations to raise and is satisfied that the traffic movements, access and parking/turning provision at the site with a passing bay proposed to be provided are acceptable and has received a favourable response to consultation subject to the application of the conditions applied for the approved poultry unit.

The Landscape Officer's final comments are awaited on the proposed manure storage building in addition to the Planning Ecologist, and shall be reported to the Planning Committee.

NRW have responded to consultation and have requested that the applicant provides full details and specification of the design and construction of the base and walls of the manure store and full details on the size and capacity of the manure store to ensure that the store is built to appropriate standards to reduce the risk of polluting effluents entering controlled waters. The agent has submitted details requested to NRW and their further comments are awaited.

Taking into consideration the comments of the consultees to date and the issues of objection received, and balancing this with the policy guidance that is available through the Carmarthenshire LDP as well as other national guidance, it is considered that the proposed manure storage building at this location between the existing farm and the proposed poultry unit, with the landscaping mitigation approved in the planning permission for the poultry unit, is acceptable and the successful operation of the business in both planning and business terms is reliant upon adherence to the planning conditions and effective management of the business.

In light of the aforementioned report of the proposed development as a requirement of the poultry unit, it is recommended on balance that planning permission be granted for this development subject to the conditions below.

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 22nd July 2014
- 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 (003), received 23 August 2018
 - Site Plan (003), received 23 August 2018
 - Elevations and Floors (009), received 27 July 2018
- 3 The building hereby approved shall only be used for the purposes of agriculture as defined by Section 336 of the Town and Country Planning Act 1990.
- 4 Any external artificial lighting incorporated with the proposed poultry unit shall be installed in accordance with the relevant lighting engineers' guidance to reduce any potential light nuisance to neighbouring properties. Any such proposals for artificial lighting is to be agreed in writing by the Local Planning Authority prior to installation.
- 5 No manure spreading shall take place within a 10 metre wide buffer zone measured from any nearby water course bank top for the whole extent of the site (banked off is defined at the point at which the bank meets normal land levels). The buffer zone shall be without structure, hardstanding, footpath, fences or overhanging development.
- 6 All vehicles used for the movement of manure shall be sheeted and/or fully covered.
- 7 Poultry waste from the unit will be managed in line with the Revised Manure Management Plan (January 2017), received 26 January 2017, approved within planning permission E/33695.
- 8 The development shall adhere to requirements of the Management Plan, received 2 October 2015, approved within planning permission E/33695.
- 9 Deliveries and collections associated with the proposed development shall only be taken at or dispatched from the site between the hours of 08:00 through to 20:00 on Monday to Saturday and not at any time on Sundays, Bank or Public Holidays.
- 10 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.

- 11 The approved Detailed landscaping and planting of the site as approved within the Landscape Plan approved in condition 2 above shall be fully implemented during the first available planting and seeding season following the commencement of the development.
- 12 Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

REASONS

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended)
- 2 In the interest of visual amenity.
- 3-4 To prevent any separate use on the site, and to ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.
- 5 To ensure that there is no significant effect to any designated site.
- 6-10 In the interest of protecting the living conditions of local residents.
- 11-12 In the interest of the visual amenity of the locality.

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 adheres to the requirements of policy SP14 of the Carmarthenshire Local Development Plan which ensures that proposed development does not unacceptably harm the Tywi Valley Special Area of Conservation.
- The proposed development adheres to the requirements of policy GP1 of the Carmarthenshire Local Development Plan which ensures that proposed development 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. The development proposal should also not have a significant impact on the amenity of adjacent land uses and properties.
- The proposed development adheres to the requirements of policy EMP4 of the Carmarthenshire Local Development Plan which ensures that proposed development is a form of farm diversification, and requires that it is subordinate to,

compatible with and supports the continued operation of the agricultural activity of the existing working farm; is of a scale and nature appropriate to the existing farm operation; the scale and nature of the activity is compatible with its accessibility to public transport and the need for local highway improvements; the scale and scope of any retail use (where planning permission is required) would not have an adverse impact on the vitality and viability of retail facilities in nearby settlements, or would undermine the retail hierarchy (see policy RT1); it would not have an adverse impact on the character, setting and appearance of the area and the surrounding landscape and where appropriate, townscape. As the proposal is a new building and not integrated with the existing working farm complex, it remains that it is considered that the proposal is not detrimental to the respective character and appearance of the area and surrounding landscape.

- The proposed development adheres to the requirements of policy TR3 of the Carmarthenshire Local Development Plan which ensures that proposed development 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.
- The proposed development adheres to the requirements of policy EQ4 of the Carmarthenshire Local Development Plan which ensures 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, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that the impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements; there are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.
- The proposed development adheres to the requirements of policy EQ6 of the Carmarthenshire Local Development Plan which ensures that proposed development in Special Landscape Areas are designated in specific locations and proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted (subject to the policies and proposals of the Plan). The proposal is a diversification scheme for an established agricultural enterprise, at a sensitive siting and with a detailed landscaping scheme which will mitigate for the impact of the building within the landscape, and provides biodiversity benefits to the locality.
- The proposed development adheres to the requirements of policy EP1 of the Carmarthenshire Local Development Plan which ensures that proposals for development will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality. Watercourses will be safeguarded through biodiversity/ecological buffer zones/corridors to protect aspects such as riparian habitats and species; water

quality and provide for flood plain capacity. Proposals will be permitted where they do not have an adverse impact on the nature conservation, fisheries, public access or water related recreation use of the rivers in the County. Proposals will wherever possible be required to make efficient use of water resources.

- The proposed development adheres to the requirements of policy EP2 of the Carmarthenshire Local Development Plan which ensures that proposals should wherever possible seek to minimise the impacts of pollution. It will be required to demonstrate proposals do not conflict with air quality strategy, cause deterioration in water quality, ensure that light and noise pollution are minimised and ensure that risks arising from contaminated land are addressed.
- The proposed development adheres to the requirements of policy EP3 of the Carmarthenshire Local Development Plan which ensures that proposals for development will be required to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Drainage Systems (SUDS), has been fully investigated. The details and options resulting from the investigation must show that there are justifiable reasons for not incorporating SUDS into the scheme in accordance with section 8 of TAN 15.
- The proposal complies with Welsh Assembly Government issued advice contained in Technical Advice Note 6 "Planning for Sustainable Rural Communities" in that the proposed development is appropriate to the site and surrounding landscape.

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 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.

- 3 The storage and spreading of manure will be undertaken in accordance with the DEFRA Code of Good Agricultural Practice for the Protection of Air, Water and Soil.
- 4 The burning of waste on the site should at no time be permitted which is likely to emit dark or black smoke, or smoke which would constitute a smoke nuisance at the nearest sensitive residential property.
- 5 All waste manure must be stored in a satisfactory manner/covered to ensure it does not give rise to an odour nuisance beyond the site boundary.
- 6 Appropriate methods of clearing the waste and cleaning the unit must be adopted to minimise the effect of dust / odours affecting neighbouring properties.
- 7 All dead stock must be stored in appropriate containers to reduce the potential for odours and flies.
- 8 Adequate procedures must in place for controlling flies if necessary.
- 9 Appropriate methods must be in place for the control of vermin if required.
- 10 Adequate procedures must be adopted to ensure the litter/manure inside the unit is kept dry and in such a condition as to reduce the ammonia produced.
- 11 It should be noted that the proposed development should be adequately controlled with regard to other emissions or deposits so that the development does not at any time constitute a statutory nuisance as defined by Section 79 of the Environmental Protection Act 1990.
- 12 Any works undertaken within or forming part of the highway shall meet the requirements of Section 184 of the Highways Act 1980, and shall only be commenced with the specific agreement of the Highway Authority.
- 13 The applicant should take due care and attention to avoid the deposit of mud on the road from construction vehicles using the access.
- 14 No drainage from the development site shall be connected to or allowed to discharge into the road drainage system, and the proposed junction shall be constructed such that the access road does not drain onto the road.

Mae'r dudalen hon yn wag yn fwriadol

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

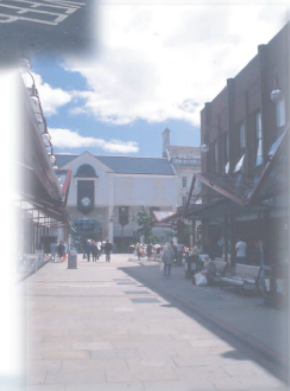
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 02 HYDREF 2018
ON 02 OCTOBER 2018**

***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:	02 OCOTBER 2018
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/37444
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Application Type	Full Planning
Proposal & Location	PROPOSED MENAGE AT YSGUBOR GOCH, LLANBOIDY, WHITLAND, SA34 0EE

Applicant(s)	MR RICHARD BOWEN, YSGUBOR GOCH, LLANBOIDY, WHITLAND, SA34 0EE
Agent	KEN MORGAN DBM LTD - KEN MORGAN, THE STUDIO, LITTLE GREENWAY, CRINOW ROAD, NARBERTH, SA67 8TA
Case Officer	John Thomas
Ward	Llanboidy
Date of validation	26/06/2018

CONSULTATIONS

Llanboidy Community Town Council – No observations received to date.

Local Member – County Councillor Dorian Phillips is a member of the Planning Committee and has made no prior comment.

Neighbours/Public – The application has been publicised by means of a site notice displayed at the entrance of the shared access track leading to the application property off the classified Llangyning – Llanboidy Road. In response, seven letters of representation have been received from three different households raising the following issues of concern and objection:-

- Ongoing problem with drainage and the excessive flow of water into the neighbouring property;
- The proposal represents a visual intrusion, which will be exacerbated by the addition of floodlighting;
- Objection to the ménage being built above the original field height;
- Objection to any form of lighting, given the potential for light pollution;
- Objection to anything other than private use by the applicant's family;
- Adverse impact upon bat and owl colonies;
- Huge amounts of aggregate being washed into the adjacent property and blocking their drains;
- Why were local residents not notified in writing of the planning application?
- Noise from traffic accessing and exiting the site;

- The use of menage in the application description is too vague;
- What will the proposal be used for and what times

RELEVANT PLANNING & ENFORCEMENT HISTORY

W/34067	Proposed Ménage and Single Garage Full Granted	26/08/2016
W/ENF/07395	Creation of Equestrian Area File Opened	22/10/2015
W/24756	Proposed Sun Lounge Single Storey Extension Full Granted	16/06/2011
W/10474	Erection of Timber Stables Full Granted	18/08/2005
TMT/02308	Change of Use of Outbuilding to Dwelling Full Granted	13/12/2002

APPRAISAL

THE SITE

The application site lies in open countryside forming part of a larger field enclosure which previously formed part of Sarngoch Farm, the farmstead to which lies approximately 75 metres East, South-east of the application site. The site and larger field enclosure, now belong to Ysgubor Goch, a converted former redundant barn to residential dwelling located a short distance from Sarngoch Farm, which share a private access track leading north from the Llangynin – Llanboidy Road near to the Groesfford crossroads. The associated converted barn, and original farmstead lie at a slightly lower level relative to the application site as the ground slopes in a general easterly direction, while a short terrace of stables belonging to Ysgubor Goch already exist in the intermediate curtilage area between the access track and application site, in close proximity to the site.

The planning history for Ysgubor Goch dates from December 2002, when planning permission was granted for the conversion of the former barn to a residential dwelling, while later in August 2005 permission was granted for the erection of the timber stables. More recently, retrospective planning permission was sought and granted for the creation of a menage and associate works in August 2016. While work has commenced, and the associated engineering works for that proposal are now well advanced, it then became apparent that what was being constructed was larger than that granted planning permission in August 2016. Hence, the submission of this further planning application.

THE PROPOSAL

This application seeks consent, partly retrospective, for the creation of a ménage to the west of the host dwelling known as Ysgubor Goch. This is the second such application for the same form of development, albeit now for a slightly larger scale of development to that previously granted. The first application reference W/34067 was submitted in response to an enforcement investigation following a complaint received from the neighbouring property raising concerns over land drainage. That proposal showed a ménage measuring 60m (L)

x 30m (W) with a land drain connection to an existing watercourse which flows into the neighbouring third party field. The present proposal now shows a 58m (L) x 38m (W) menage in predominantly the same location, albeit the proposal also now includes additional engineering works to form a level hard standing area for the parking of horseboxes and trailers in the intermediate area between the proposed menage and southern boundary of the field enclosure. The full extent of the engineering works extends to an area closer to 46m x 97m, which includes the steep embankment cut to a maximum height of 1.75m along the Western edge of the site.

In addition to the engineering works the proposal also includes the formation of the sand school area on top of a stone sub-structure; 1.5m high timber post & rail fence; installation of a perimeter water drainage pipe; 1.5m x 1.5m silt trap chamber; and 6 no. 5m high 120watt LED floodlights. The latter element of the proposed development is supported by a lighting plan illustrating the light coverage which will be achieved. Access to the proposed menage area will be via the existing gated access serving the stable block and yard, which would be contiguous with the application site.

The site is well screened to the West by raising ground, and similarly to the South as well as by a retained mature hedge, while to the North a further mature hedge screens the development. To the East, which is the most conspicuous aspect from a public vantage point, the site would previously have benefited from a mature tree lined hedge, which is understood to be outside of the applicant's control and has recently been thinned and laid, thereby making the site more evident in the landscape.

THIRD PARTY REPRESENTATIONS

Concerns regarding drainage have previously been raised in the consideration of earlier planning application W/34067, while in addition to the previously approved drainage arrangements the present application now includes a silt pit adjacent to the existing point where the ditch on the applicant's land runs into the adjacent farmer's field. This is intended to address concerns over the potential for silt to be carried off the site onto the adjacent land and blocking their land drains. Colleagues in the Land Drainage Section of the Council have been consulted on this application and have raised no objection to the application. It is not therefore considered that the proposal would unacceptable exacerbate drainage over and above the current situation given the proposed drainage arrangements.

As to opined visually intrusive nature of the proposal and the issue raised with the level at which the menage would be formed above the original field level. As has been demonstrated and illustrated by means of the submitted cross sections, the menage would be formed through a combination of cut-and-fill, with the vast majority of the engineered plateaux being below or at the previous ground level. The site now appears more conspicuous in the landscape from one particular aspect and vantage point, through the actions of the neighbouring landowner in thinning and laying the immediately adjacent hedge. On this particular point, and given the concerns over any adverse impact upon potential protected species in the vicinity. The action of thinning the hedge has potentially had a more adverse impact for any local bat colonies as it has diminished what would previously have potentially served as a bat foraging corridor adjacent to the Eastern boundary of the application site. The Planning Ecologist have considered their species database for the area and have assessed that a bat survey was not justified in this instance. The time restriction secured by the recommended conditions is not purely to safeguard residential amenity, but also any potential bat activity in the Spring and Autumn as lighting will not be of concern to bats between November and March as they will be in hibernation. Over the Summer months

when bats will be active, there won't be the need for artificial lighting given the extended daylight hours.

As to the further concern over the potential for light pollution or noise from traffic accessing the site. As colleagues from the Public Protection Division of the Council have raised no objection to the application following their consultation, while a lighting plan for the proposed floodlighting of the menage has been supplied in support of the application and is specifically referred to in one of the recommended conditions. On the concern raised over the potential noise nuisance from traffic accessing and exiting the site. Given that the menage is for private use only, there is unlikely to be any significant increase in traffic movements over the existing, further reinforced and safeguarded by one of the recommended conditions. There also remains the fall-back of separate legislation governing statutory nuisance, under the provisions of the Environmental Protection Act 1990.

Finally, the absence of any direct letters of notification to residents in the vicinity of the application site has been raised, while in such remote rural locations a site notice has the potential to inform more people of a pending planning application than neighbour notification letters. The statutory requirements for publicity in such instances dictates that either a site notice is displayed in the vicinity of the application site, or neighbour notification letters as posted to immediately adjacent properties. This requirement is in the alternative and there is no requirement to do both.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with consideration of the representations received, the scale, design and location of the proposed menage is considered acceptable and not out of keeping with the rural character and appearance of the application site. The proposal is therefore in accord with the policies of the adopted Local Development Plan and is put forward with a favourable recommendation, subject to the prescribed conditions.

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) the ménage and stable block, being retrospective developments as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 16th March 2018.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 14 June 2018.
 - 1:1250 scale Location Plan (Drawing No. 100) received 12-05-2018;
 - 1:500 scale Proposed Block Plan received 08-06-2018;
 - 1:200 scale Proposed Sections Plans A:A and B:B received 08-06-2018;
 - 1:20 scale Proposed Silt Pit Plan received 08-06-2018;
 - 1:50 scale Proposed Fence Detail Plan received 08-06-2018;

- 3 The ménage hereby approved shall only be used for private purposes incidental to the enjoyment of the dwelling house known as Ysgubor Goch and shall not be used for any commercial purposes.
- 4 The menage shall only be illuminated between the hours of 06:00 and 20:00 on any one day.
- 5 The intensity and spread of the floodlighting illumination hereby permitted shall be strictly in accordance with the submitted Lighting Plan (Deluce Lighting dated 23-05-2018).

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 To clarify the extent of the permission in the interests of residential and visual amenity.
- 4 & 5 In the interests of residential amenity and to safeguard potential ecological interests.

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 GP1 and EQ4 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that the development is not detrimental to the amenity of nearby properties, and is of appropriate design. The development has been acceptably sited and will not have a detrimental impact upon the character or biodiversity of the surrounding area.

NOTES

- 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)

Application No	W/37575
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Application Type	Full Planning
Proposal & Location	TWO STOREY EXTENSION TO REAR OF DWELLING AT 13 PLAS PENWERN, JOHNSTOWN, CARMARTHEN, SA31 3PN

Applicant(s)	MR DAVID FURLONG, 13 PLAS PENWERN, JOHNSTOWN, CARMARTHEN, SA31 3PN
Agent	,
Case Officer	Paul Roberts
Ward	Carmarthen South
Date of validation	24/07/2018

CONSULTATIONS

Carmarthen Town Council – Have raised no objection to the application

Local Members – County Councillor G John has not commented on the application to date. County Councillor A Lenny is a member of the Planning Committee and has made no prior comment on the application.

Welsh Water – Have raised no adverse comments in respect of the proposal.

Neighbours/Public – The neighbouring dwellings within the vicinity of the application property have been consulted on the application. In response, four letters of objection have been received from neighbouring residents which raise the following issues of concerns:

- Errors in the plans submitted.
- Concerns regarding the height of the extension and the impact in terms of loss of light.
- Loss of privacy to neighbouring properties from the large window and door openings in the extension as well as the velux windows in the roof space.
- Lack of privacy for the occupiers of the new extension given the first floor window and door openings.
- The extension and large window and door openings are out of keeping with the appearance of existing properties in the estate.
- Restriction and loss of existing views.

RELEVANT PLANNING HISTORY

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

D4/22750 Erection of houses garages and associated
roads and sewers.
Full planning permission

24 September 1992

APPRAISAL

THE SITE

The application site consists of the curtilage of a detached two storey house located in the Plas Penwern estate in Johnstown, Carmarthen. The house is of a traditional pitched roof design having a front parking area and modest sized rear garden that is enclosed with timber fencing. The property is bounded by the curtilages of neighbouring residential properties with a neighbouring dwelling of the Plas Penwern estate located to the west and the residential properties that front onto Llansteffan Road to the east. The properties of the neighbouring Heol Drindod estate are located to the south (rear) of the site. The surrounding Plas Penwern estate is characterised by detached two storey houses and associated garaging facilities.

THE PROPOSAL

The application seeks full planning permission for the construction of a two storey extension to the rear of the existing house. It is to project from the western half of the rear elevation of the house having a depth and width of 3.9 and 4.6 metres respectively. The extension will provide additional kitchen/diner accommodation on the ground floor and a new master bedroom on the first floor. It is to have a pitched roof and a mix of facing brick and rendered elevations to match those of the host dwelling.

The rear elevation of the extension is to have a number of small window openings at ground and first floor level. The original proposal submitted with the application also included large glazed window and door openings in the eastern side elevation of the extension at both ground and first floor level with the latter having a juliet style balcony feature. However, concerns raised by officers regarding the impact of the first floor openings upon the privacy of neighbouring properties by way of the direct overlooking of private garden areas has resulted in the first floor door opening and juliet balcony feature being removed from the side elevation. Two first floor windows are retained in this side elevation, however, they are shown to be glazed in obscure glass.

The application has been accompanied by a bat survey report which found no evidence of bats in the application property.

PLANNING POLICY

In the context of the current development control policy framework the following policies of the Carmarthenshire Local Development Plan (LDP) are of relevance to the proposal.

Policy GP1 is a general policy which seeks, amongst others, to promote sustainability and high quality design and to ensure that new 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. The policy also requires that

development proposals should not have a significant impact on the amenity of adjacent land uses and properties.

Policy GP6 permits extensions to existing residential dwellings subject to them being subordinate and compatible to the size, type and character of the existing development, not resulting in the overdevelopment of the site, or leading to reduced and inadequate areas of parking, utility, vehicle turning, amenity or garden space. The external appearance of extensions should also complement the existing development and proposals should not adversely affect the local environment and amenities of neighbouring developments.

THIRD PARTY LETTERS OF REPRESENTATION

Letters of objection have been received from the residents of a number of neighbouring properties which raise a number of issues of concern.

The occupier of the neighbouring property of Plas Penwern has highlighted errors in the plans while also raising concern regarding the height of the extension and the likely loss of light to an existing habitable room. As to the first issue, the orientation of the elevations of the extension were incorrectly annotated in the original drawings, however, this has subsequently been corrected with the submission of amended drawings. With regard to the issue of loss of light, although the extension will be of the same height as the existing dwelling, its modest depth of 3.9 metres combined with a separating distance of some 6 metres to the windows at the rear of the respondent's house will safeguard against any unacceptable impact. Moreover, it is of note that the respondent's detached garage will be located between the house and the new extension.

The concerns raised by the residents of the properties of Llansteffan Road to the east of the site regarding the impact upon the privacy of their properties have been addressed in that the first floor door opening and juliet balcony feature in the eastern side elevation of the extension have now been removed from the application. The two remaining first floor windows in this elevation will be glazed in obscure glass and a suitable planning condition securing the retention of this glazing will be imposed on any permission granted. The condition will also require that any part of the two first floor windows located less than 1.7 metres above the floor of the bedroom that they will serve shall be of a non-opening design thereby preventing any overlooking of the respondents' properties.

Concerns raised by one of the respondents that the velux windows proposed in the roof space of the extension will also erode their current privacy levels are misjudged in that the lowest point of these windows will be set at a height of 3 metres above the floor level of the new first floor bedroom thereby preventing any outlook towards neighbouring properties.

A resident of the Heol y Drindod estate to the rear of the application property has also raised concerns regarding the privacy impact upon their property while suggesting that they would have a direct outlook towards the new first floor bedroom in the extension. However, a separating distance of 40 metres between the extension and the rear elevation of the respondent's property combined with the size of the first floor rear windows of the extension will ensure there will be no harmful impact upon the occupiers of both properties.

Turning to concerns regarding the design of the extension, its modest scale and pitched roof design ensures it is subordinate and compatible to the size, design and character of the host dwelling and will not be incongruous with the character and appearance of the surrounding residential area. Furthermore, although the extension will be visible from the rear of a

number of surrounding properties, it will be well separated from the facing windows and garden areas of these properties and not harmfully reduce or impact upon the outlook of their occupiers.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the scale and design of the proposed extension are considered to be acceptable and in keeping with the character and appearance of the existing property and surrounding residential area. Furthermore, the local amenities of surrounding occupiers will not be adversely affected by the development.

The proposal is therefore considered to be in accord with the design and amenity objectives of Policies GP1 and GP6 of the adopted Local Development Plan and put forward with a favourable recommendation.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of 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 existing and proposed floor, elevation, site and location plan drawing referenced (P/01A) received on 19 September 2018.
- 3 The development hereby approved shall be undertaken in strict accordance with the recommendations contained in the advice section of the bat survey report prepared by Environment Systems dated 5 July 2018 and received on 13 July 2018.
- 4 Prior to the use of the extension hereby approved, the two first floor windows in the eastern side elevation of the extension, as shown on the existing and proposed floor, elevation, site and location plan drawing referenced (P/01A) received on 19 September 2018, shall be fitted with obscured glazing and any part of the windows that are less than 1.7m above the floor of the room in which they are installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

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 In order to ensure that there is no detriment to the maintenance of the favourable conservation status of Bat species.
- 4 To protect the privacy and amenity of adjacent occupiers.

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.

- It is considered that the proposal complies with Policy GP1 of the Carmarthenshire Local Development Plan in that it is appropriate in terms of scale and design, and will not cause unacceptable loss of amenity to neighbouring uses.
- It is considered that the proposed development complies with Policy GP6 of the Carmarthenshire Local Development Plan in that it is appropriate in terms of scale and design, sufficient amenity/garden space remains, and it will not adversely affect the amenities of the occupiers of the neighbouring 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).
- 3 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).

Mae'r dudalen hon yn wag yn fwriadol

*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 02 HYDREF 2018
ON 02 OCTOBER 2018**

**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:	02 OCTOBER 2018
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/36993
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF 103 NO. DWELLINGHOUSES, ACCESS ROAD AND ASSOCIATED INFRASTRUCTURE AT LAND PART OF FORMER GOODIG HOTEL, PWLL ROAD, BURRY PORT, CARMARTHENSHIRE

Applicant(s)	POBL GROUP, 7-13 THE KINGSWAY, SWANSEA, SA1 5JN
Agent	JCR PLANNING LTD - RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	John Thomas
Ward	Burry Port
Date of validation	27/03/2018

Head of Transport and Engineering – The Head of Transport & Engineering has raised no objection to the application, subject to the imposition of suitable conditions on any permission granted ensuring the required highway improvements and access safeguards are provided.

Natural Resources Wales (NRW) – No objection, subject to the imposition of recommended conditions.

The Coal Authority - No objection, subject to the imposition of an appropriate planning condition(s).

Dwr Cymru/Welsh Water – Awaiting revised observations.

Environmental Protection Section – No objection, subject to the imposition of recommended conditions.

Dyfed Archaeological Trust – No objection, subject to the imposition of a suitable condition requiring the preparation and implementation of a written scheme of investigation.

Local Members - County Councillor L A Fox has made no observations to date, while County Councillor J James is a member of the Planning Committee.

Pembrey and Burry Port Town Council – The council share the following concerns raised by local residents:-

- Impact upon the privacy of residents on the Tan-y-Coed estate;

- The adequacy of the existing sewerage system to cope with the proposed number of houses, and the potential impacts upon existing residents;
- Question the traffic management solutions proposed for the access onto the A484, given existing congestion, and concerns for the safety of both road users and pedestrians;
- Results of the geotechnical investigations into past mining activity in the area should be available for a decision is made;
- The County Council needed to put in place a plan to deal with the impact of such a large development on the existing infrastructure;
- A thorough archaeological WSI needs to be in place, and questions why this has not already been done.

The council also have grave concerns about the development and cannot make a decision on it without being provided with answers to their questions, namely that the Planning Committee of Carmarthenshire County Council are happy with the investigations undertaken to date. They recommended that the application be deferred until all investigations are carried out and the County Council has put in place a plan to deal with the increased sewerage demands. Likewise, the increased road use, infrastructure to deal with surface water run-off, and that privacy issues of Tan-y-Coed residents are addressed.

Neighbours/Public – The application was advertised on site by the posting of site notices and in the local press given the proposal's status as a 'major' development. As amended plans and further information was subsequently submitted in support of the application, a full re-publicising exercise was also undertaken. Eighteen letters of representation have been received to date raising the following concerns and objections:-

- Diminishing public transport service along the route passing the site and loss of a bus stop;
- The extra traffic generated, together with that from other development sites in the area, would only further worsen an already congested A484 road;
- The proposed houses would place further pressure on the public sewer systems;
- Additional hard surfacing will only increase surface water run-off;
- Inadequate local services such as overstretched schools and limited GP services;
- Existing residents find it difficult to exit their driveways onto the A484;
- Over-development on what is challenging site topographically;
- The proposal fails to address the impact of the development on the surrounding area;
- Location of proposed access onto the A484 is dangerously close to a bend in the road;
- Final foundation designs for the embankment should be provided before recommending approval;
- Impact upon on existing wildlife within the site, including protected species, which will be destroyed;
- No ecological surveys;
- The area is of outstanding natural beauty and has a wealthy of ecology;
- Full archaeological survey required;
- The existing bus stop will be lost;
- The impact of shifting thousands of tons of soil will be atrocious;
- Alternative brown field sites available in the area;
- Loss of a view;
- Noise disturbance during construction;
- Long term parking issues in the locality as a result;

- Previous planning permission refused on the site;
- Allocation of the site in the Development Plan does not mean the site is suitable for the proposed number of dwellings;
- The PAC exercise was seen as a fait accompli;
- Criticism of the proposed design of units proposed and garden sizes;
- Risk of flooding;
- Risk of pollution;
- Concern as to the private access drive to the West of the site;
- Question the proposed movement of the existing access further West, nearer Chivers Corner;
- Current proposal for greater no. of houses than stated in the LDP;
- Query whether these proposed houses are needed;
- Question the use of attenuation tanks to cater for surface water;
- Question the practicality of the two pedestrian crossing points;
- Has the proposal been considered together with other proposed developments?;
- Existing surface water problems;
- Proposed dwellings will overlook existing houses opposite;
- Increased pressure on available car parking spaces;
- Incorrect assessment as to the presence of bats on the site;
- A full geological and radar ground survey required;
- Proposed unproven surface water technology;
- Why aren't brown field sites being developed in preference to this greenfield site;
- Proposal will lower house prices and increase insurance premiums;
- Absence of local employment;
- Need to comply with the requirements of the Active Travel Act (Wales);

RELEVANT PLANNING HISTORY

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

S/18113	Residential Development Refused Appeal Upheld	27.05.08 27/10/08
S/15996	Residential Development (Outline) Refused	25.05.07
S/00192	Erection of Retail Foodstore, Car Parking and Servicing New Access Refused	13.02.97
D5/15746	Fire Station Refused	31.03.94
D5/12602	Hoarding Withdrawn	17.03.90
D5/9581	16 Dwellings (Outline) Refused Appeal Dismissed	09.04.87 29.09.88

APPRAISAL

This application is subject to a Section 106 Agreement.

THE SITE

The application site comprises the majority portion of the large field enclosure that extends to some 4.42 hectares (11 acres) that forms the foreground setting to the former Goodig Hotel, which stands as a derelict ruin amongst a small range of outbuildings to the Eastern end of the North boundary of the application site. Mainly comprised of semi-improved pasture, with a small number of mature wind-swept trees located centrally, the site ascends in a Northerly direction on a gradient that rises by some 16-17m at its widest point of 110m, with a tree lined embankment along the remaining majority length of its steep Northern boundary.

To the West of the site lies a private access driveway that leads past the detached property Bramble Lodge, and onwards up to the further detached properties of Glyneathin and Goodig Lodge, located to the North-west of the site. To the opposite end of the application site stands the detached property The Grange, a large private house with generous curtilage that is accessed directly off the A484 Pwll Road. The remaining 480m long Southern boundary, defined by a short stone wall along almost its entire 480m length, borders the A484. Apart from the existing driveway entrance that serves the former hotel, located almost midpoint along the frontage, a footway runs along its whole length.

The site has a planning history dating back to the mid 1980's, with a series of refusals for residential development culminating in a planning appeal being upheld against the refusal of outline planning application S/18113, on the 27th October 2008. The reason for refusal, and subsequent Inspectorate's basis for allowing the appeal, hinged upon the unreasonableness of the Council requesting further information in the form of a Noise and Air Quality Assessment. The permission subsequently lapsed 3 years later without the applicant exercising its option to purchase the site.

THE PROPOSAL

The application seeks full planning permission for the development of 103 residential units, together with associated estate roads, new vehicular access, infrastructure, etc. The development is shown to be spread over three ground plateaus, each respecting the prevailing contour levels, not only between each plateau level, but the wider semi-rural landscape off the A484.

The proposal comprises 8 different house types, principally two and three bedroom dwelling houses, albeit there being a minority element of four bedroom house. With the exception of two proposed detached dwellings, the remainder will be semi-detached, mainly 2-storey but with eight split-level dwellings located to the eastern end of the site, and two short terraces in the Western courtyard setting.

A relocated single point of access is proposed at a point 90 m east of the South-western boundary of the application site, designed to provide the required forward visibility, radii and

footway links onto the A484 Pwll Road. The estate road, designed to be to an adoptable standard, is shown to split some 20 metres into the site with the Eastern arm curving right and forming an estate road running almost parallel with Pwll Road. This section of road is shown to be flanked by development to one side only, with the intervening area between both roads serving both as a relief and area of open, as well as accommodating surface water attenuation tanks to the development. A DCWW potable water main is also shown to follow a parallel line through the immediate frontage of the site, which is an acknowledged constraint. The linear row of semi-detached houses would therefore appear off-set behind this area, respecting the existing contours of the land as near as possible.

The other arm of the estate road initially turns West before looping back in an Easterly direction, serving a small proposed courtyard of houses to the Western end of the site and ascending across the steep contours of the site to a higher development plateau. This higher section of estate road would be flanked by development on both sides, with the Southern development flank partly formed by a reinforced earth embankment. The difference in levels between the lower and middle tier of development would be quite pronounced in places, rising to 6.0 metres at its highest, albeit with a separation distance of 40m between development frontages at its widest. The graded face of the embankment would be vested as extended curtilages to the proposed properties below, albeit the proposed planting scheme will take the form of one which requires minimal maintenance.

A similar approach and landscaping proposals are shown for the opposite development flank, with rear curtilage/garden areas graded up to the wooded Northern boundary. To its eastern end the estate road would dissect the existing access road serving the former Goodig Hotel, with access subsequently only possible via the new development. The existing track entrance onto Pwll Road would then be stopped-up, while the remaining section of proposed estate road would serve the eight split-level dwellings proposed to the eastern end of the site. These houses would be well screened from the road, given the retention of the existing mature tree-lined roadside hedge.

The proposed house designs are shown to be symmetrical and traditionally proportioned, with vertically proportioned windows, unbroken eaves and front roof plains in the main, with generous ridged roof and distinct gables. There are a few design variations/exceptions to this theme, while the pallet of materials shows a predominance of render, some timber cladding, and an element of natural stone. The roofs would be clad in flat profile tiles or slate dark grey in colour.

With the exception of only a small number of the split-level houses, there will otherwise be no other garages with car parking predominantly provided to the side of the dwellings, with the full complement of parking to comply with the adopted CSS Parking Standards.

A figure of 21 dwellings of the total 103 proposed dwellings will be retained as affordable dwellings for sale or rent, above the required level of 20% which applies to this part of the County.

In addition to the customary full schedule of detailed plans, the following further documents have been submitted in support of the application:-

- Transport Assessment
- Ecological Appraisal
- Noise Assessment
- Bat Survey

- Site Investigation Report
- Arboricultural Report;
- Air Quality Assessment
- Pre-Application Consultation (PAC) Report.
- Site Investigation Report
- Supplementary Site Investigation Report
- Surface Water Betterment Strategy Note
- Clean Water Hydraulic Modelling Assessment
- Engineering Strategy Report

PLANNING POLICY

Local Development Plan Policies

The Carmarthenshire Local Development Plan (LDP) (adopted December 2014) identifies the application site as a housing allocation (ref. T2/1/h9) within the Tier 2 settlement of Burry Port. The LDP instils the principles of sustainable development through its Strategic Framework and Settlement Hierarchy. This strategic policy seeks to focus development within those settlements which are highly accessible to a range of services and facilities, possess sufficient infrastructure capacity and enjoy convenient proximity and access to existing and potential public transport facilities. These attributes serve to support a sustainable strategic settlement framework.

Burry Port is seen as one such settlement that possesses all the necessary attributes to support sustained growth, situated on and adjacent to two important transport corridors – main South Wales Rail Line, and A484 Llanelli – Carmarthen coast road - while having a range of facilities and services providing for the needs of the town and rural hinterland. The effect of directing new development and investment to such a settlement can only serve to minimise the distances between trip origin and destination, thus reducing the propensity for additional private car travel. Consequently, the LDP has designated Burry Port as a key Tier 2 Service Centre within the County hierarchy of settlements with the capacity to accommodate development and sustain growth.

As such, and in respect of the application's policy context, reference is drawn to the following specific policies:-

Policy SP1: Promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

Policy SP2: Supports proposals which respond to, are resilient to and adapt to minimise for the causes and impacts of climate change. Proposals for development which are located within areas at risk from flooding will be resisted unless they accord with the provisions of TAN15.

Policy SP3: Identifies Llanelli as being one of three Growth Areas within the Plan's Settlement Framework for the County which reflects their high population levels and the availability of an extensive range of services and facilities in the strategic context. The settlements are well served by facilities that are vital to support sustainability being on sustainable transport routes and are therefore capable of accommodating a proportionally higher level of growth and development.

Policy SP5: Allocates sufficient land for 15,778 new dwellings within the Plan area in accordance with the Settlement Framework with a high proportion (8,333) of these dwellings being directed towards the Growth Areas.

Policy SP9: Promotes the provision of an efficient, effective, safe and sustainable integrated transport system.

Policy SP14: Requires that development should reflect the need to protect, and wherever possible enhance the County's natural environment in accordance with national guidance and legislation.

Policy SP17: States that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 Sustainability and High Quality Design: This is a general policy which, amongst others, 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. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to have regard to the generation, treatment and disposal of waste.

Policy GP2 Development Limits: Requires that proposals within defined development limits will be permitted, subject to policies and proposals of the plan, national policies and other material planning considerations.

Policy GP3 Planning Obligations: States that the Council will, where necessary seek developers to enter into planning obligations or to contribute via the Community Infrastructure Levy to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments.

Policy GP4 Infrastructure and New Development: Proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development.

Policy H1 Housing Allocations: This policy identifies all sites of five or more dwellings as housing allocations, whether consented or not, as well as those under construction and have yet to be completed.

Policy AH1 Affordable Housing: States that a contribution towards affordable housing will be required on all housing allocations and windfall sites. It goes on to state that the Council will seek a level of affordable housing of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub market areas. The application site falls within the 20% viability area.

Policy TR2 Location of Development – Transport Considerations: Requires that developments which have the potential for significant trip generation should be located in a manner consistent with the Plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

Policy TR3 Highways in Development – Design Considerations: 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. Reference is also made to the need to meet required access and parking standards as well as promoting the interests of pedestrians, cyclists and public transport as part of proposals.

Policy EQ1 Protection of Buildings, Landscapes and Features of Historic Importance: Requires proposals for development affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest which by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area will only be permitted where it preserves or enhances the built and historic environment.

Policy EQ4 Biodiversity: Relates to biodiversity and 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 in exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made.

Policy EQ5 Corridors, Networks and Features of Distinctiveness: Proposals for development which would not adversely affect those features which contribute local distinctiveness/qualities of the County and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity will be permitted. Proposals which include provision for the retention and appropriate management of such features will be supported subject to compliance with other relevant policies in the LDP.

Policy EQ6 Special Landscape Areas: Proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted, subject to compliance with other relevant policies in the LDP.

Policy EP1 Water Quality and Resources: Requires that proposals will only be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality. The reasoned justification to the policy draws specific reference to the conservation of the CBEEMS and the obligations of the Authority under the EU Habitats Directive to ensure no new developments adversely affect the site. In this regard, reference is made to the partnership approach to safeguarding and improving the environmental quality of the CBEEMS through the Memorandum of Understanding (MoU) and Welsh Water's commitment to undertake improvements in waste water treatment capacities, treatment levels and discharge quality through their AMP programmes.

Policy EP2 Pollution: States that proposals should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate that they satisfactorily address any issues in terms of air quality, water quality, light and noise pollution, and contaminated land.

Policy EP3 Sustainable Drainage: Requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated. Furthermore, Policy EP6 states that

in areas where land instability is known, proposals must be accompanied by a scoping report to ascertain the nature of the instability.

Policy REC2 Open Space Provision and New Development: Requires that all new development of five or more units will be required to provide on-site open space in accordance with the Council's adopted standards.

Regional Planning Policy

The Wales Spatial Plan (WSP) '*People, Places, Futures*' was initially published in November 2004, subsequently updated in 2008, and serves to translate the Welsh Government's policies into visions of how each part of Wales will develop economically, socially and environmentally over the twenty year lifetime of the plan.

The WSP represents a national statement of policy and forms one of a number of strategic policy documents produced by the Welsh Government. The role of the WSP is to:-

Making sure that decisions are taken with regard to their impact beyond the immediate sectoral or administrative boundaries and that the core values of sustainable development govern everything we do

Burry Port is identified as a key settlements within the wider network of interdependent settlements that make up the *Swansea Bay – Waterfront and Western Valleys Plan Area* (see Appendix 4). These settlements are seen as local centres for the provision of essential services and employment which the WSP seeks to build upon as part of the areas' regeneration. Improvements in retail, leisure, community and cultural facilities are seen as instrumental in the aim of attracting investment, which in-turn should lead to growth. Burry Port is seen as a prime example of such a settlement possessing all the necessary attributes for sustained growth, and the opportunities for enhanced linkages across the Plan Area and region.

National Planning Policy and Guidance

Planning Policy Wales (PPW) (Edition 9, November 2016) provides a national overview of planning policy on a wide range of issues relevant to the proposed development. The Welsh Government supports the vision for good quality, mixed housing accessible to all which conforms to sustainability principles which underpin all planning policy guidance.

The document refers to the Welsh Government's approach, as set out in its National Housing Strategy, to provide more housing of the right type and to offer more choice while ensuring that new housing and residential environments are well designed and make a significant contribution to promoting community regeneration and improving the quality of life. Further emphasis is placed on the requirement to ensure that new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development.

Para 9.1.2 of PPW goes on to highlight that local planning authorities should, amongst others, promote sustainable residential environments that are easily accessible by public transport, walking and cycling, have good access to employment, retail and other services and make the most efficient use of land.

While planning policy in Wales is set into context by PPW, it is supplemented by a series of topic based Technical Advice Notes (TANs). These are wide ranging and provide an understanding and interpretation of planning policy for specific subject areas. The following are relevant to the consideration of this application:

TAN2: Planning and Affordable Housing - provides guidance on the role of the planning system in delivering affordable housing.

TAN 5: Nature Conservation and Planning - seeks to ensure that protected species, habitats and designated sites are both protected and conserved by the planning system.

TAN11: Noise - Sets out the Welsh Assembly Government's policies on noise-related planning issues. It sets out the overarching policy context for the management of noise within the planning system, in terms of how both noise-generating developments and noise sensitive developments should be considered.

TAN 12: Design - It provides advice and information on a number of related areas including the definition of design for planning purposes, design considerations such as access, local planning authority design policy and advice, the process for preparing design and access statements and information on how to achieve sustainable buildings.

TAN 15 (Development and Flood Risk) aims to direct new development away from those areas that are at high risk of flooding and defines what is considered to be vulnerable development and provides advice on permissible land uses in relation to the location of the proposed development and the consequences of flooding.

TAN 18: Transport - Endeavours to ensure Wales develops an efficient and sustainable transport system to meet the needs of a modern, prosperous and inclusive society. It provides guidance on thresholds above which a Transport Assessment should be required, for housing this is above 100 dwellings. It also lists the means by which transportation planning can help WAG achieve its sustainable development objectives.

TAN 20: The Welsh Language – provides guidance on how the planning system considers the implications of the Welsh language when LDPs are prepared. In essence, the TAN advises that planning applications should not be subject to Welsh language impact assessment as this would duplicate LDP site selection processes where LDP objectives indicated the need for such an assessment.

TAN 24: The Historic Environment (2017) – Provides guidance on how the planning system considers the historic environment during development plan preparation and decision making on planning and listed building applications..

MAIN ISSUES

Procedural Requirements

The applicant has submitted a Pre-Application Consultation report with the application. This details the pre-submission consultation that was carried out by the applicant to accord with statutory legislation. The purpose of this is to obtain feedback from public and statutory consultees on the development proposal and help better inform and influence the final

design. Having assessed the procedures taken to comply with the pre-application guidelines, it is considered the applicant has met its duty in this regard.

Design, Layout and Access

The design and layout of the proposed residential estate comprises a single relocated access onto the A484, positioned further west of the existing access point, with a split estate road layout that links with the existing access track to the former Goodig Hotel. The challenging topography of the site and the design requirements of the proposed site access roads have driven the engineering design to achieve a solution that mitigates the difference in levels between lines of plots and the heights of the embankment separating the middle and lower tiers.

The development as proposed now achieves the required gradients and thresholds both for road adoption purposes, as well as meeting the Lifetime Homes Criteria of the DQR (Design Quality Requirements) standards which stipulate maximum gradients for the curtilages of new dwellings including those for parking bays, pathways, approaches to all dwelling entrances and usable garden areas. The estate road will be constructed to an adoptable standard with a 5.5 metres wide carriageway and flanking footways. The new units are to be arranged and orientated towards the estate road with each having its own off road parking area provided mainly in the form of side driveways. Private garden areas are provided to the side and rear of the dwellings. As a result, the development has had to be laid out across the contours of the site with considerable cut and fill works to achieve such requirements, supported by various cross sections and an Engineering Strategy Report into how the required embankment can be formed.

Apart from the topographical constraints of the site, the presence of a water main crossing the lower southern portion of the site has limited the design options for this area of the site. The associated protection zone has served to sterilize this part of the site, with no allowance from DCWW.

The detailed design and scale of the dwellings respect the vernacular character and appearance of the surrounding area, albeit the subtle and proportionate introduction of more modern and sustainable materials into the elevation treatment of certain of the houses provides for a more innovative design interpretation. External finishes will comprise predominantly rendered exterior walls with timber cladding and some natural stone, maintaining a consistent palette of materials throughout the development.

Highways & Transportation

In line with guidance provided by TAN18 a Transport Assessment was undertaken for the proposed development which assessed the following principal potential impacts, given prevailing traffic numbers and patterns, as well as projected figures inclusive of the cumulative effects of other allocated, consented or implemented developments related to the surrounding network:

- Impact of the proposed site access junction with the A484 on through traffic on the A484.
- Impact on the traffic on the A484, of right-turn manoeuvres.
- Impact of development traffic on the Church Road / A484 junction and B4311 / A484 junction.

- Walking, cycling and public transport facilities in the area and linkages to services and utilities and schools etc.

The A484 is subject to a 30mph speed limit, as it passes through Burry Port and Pembrey, while the design of the proposed relocated access shows the required radii junction dimensions which can easily achieve the necessary forward visibility onto Pwll Road. A further highway enhancement as part of the proposal would be the provision of a central ghost island lane to aid traffic movements into and out of the site. The A484 presently has footways on both sides fronting the site with pedestrian refuges located at appropriate points which caters well for potential walking trips from the proposed development to local services and facilities.

Burry Port is currently served by bus services that run between key areas in West Wales, Carmarthen, Llanelli and Swansea. The development site is well placed to take advantage of the services that currently run along the A484 past the site entrance and through Burry Port. A considerable amount of spare capacity exists on the public transport network, while Pembrey and Burry Port railway station is located within walking distance from the development site and has trains running on an approximate 45 minute average frequency to and from the east and a 70 minute frequency to and from the west.

It is anticipated that the transport impacts of site construction traffic, including the requirements of abnormal loads in conjunction with the construction phase will be negligible.

Foul, Surface Water, & Potable Water

The foul flows from the proposed development is shown to drain into the public sewer system, at a point of connection located in the highway along Pwll Road. Dwr Cymru/Welsh Water have confirmed that capacity exists within the local sewer network to accommodate the foul flows which would be generated by the development without any reinforcement.

The surface water generated by the development would be captured by a separate dedicated surface water system located on site comprising of a gravity fed surface water sewer linked to a series of surface water attenuation tanks. The capacity of these attenuation tanks has been calculated based on a maximum 1 in 100 year rainfall event and return period, inclusive of an additional 30% capacity to account for climate change. The stored water would then be discharged into a culvert on the opposite side of Pwll Road at an agreed greenfield run-off rate of 24l/s. The design and specification of the system would be the required standard for adoption by DCWW.

In accordance with the requirements of Memorandum of Understanding (MoU), entered into between this Council, City & County of Swansea, Natural Resources Wales and Welsh Water for the catchment area of the Burry Inlet. The MoU requires that foul flows generated by a development will only be allowed to connect to the sewerage system for disposal once existing flows (surface water or foul) have been removed from the system to create additional capacity, as well as an additional requirement for betterment.

As there are no existing or historic foul flows from the application site, or other identified opportunity to secure such improvements within the same sub-catchment, the applicants embarked upon an exercise to establish what opportunities existed elsewhere within the wider catchment area. A donor site with the potential to remove surface water from the combined sewer system for an area of 645 m² has been identified and qualified at a site in Llys Penderi, Llanelli. Such a betterment scheme would satisfy the requirements of the MoU

to the tune of x 1.4 betterment, an acceptable level of improvement for such a major development.

As for the potable water supply to the development a hydraulic model of the network was used to assess the impact of the proposed connection on DCWW's assets. This has allowed DCWW the confidence that the network will perform as desired during periods of high demand and provides a worst-case scenario model. The results of this hydraulic analysis of the existing water network infrastructure suggests that the addition of the new 103 dwellings can be supported by the existing networks

Ground Stability & Contaminated Land

In recognition of the application site's location within the geological area of the South Wales Coal Measures, and the legacy of coal mining in the area a site investigation was undertaken by a reputable firm of geological consultants. The initial site investigations identified the potential presence of shallow coal seams in the vicinity of the North-west corner of the application site which inherently required further investigation to establish the presence or otherwise of any associated features or hazards. Rotary boreholes were then drilled to establish the depth of the coal outcrops at or close to the surface, and establish whether they may have been worked in the past.

No voids / evidence of coal workings were found to be present from the intrusive investigations, and consequently the risk to any future development from past mining activity is considered to be low. The Coal Authority have analysed the results and do not object to the granting of planning permission, subject to imposition of an appropriately framed condition.

Meanwhile, colleagues in the Public Protection Section have confirmed that there are no sites in the study area which have been designated as "Contaminated Land" under the Environment Act 1990. However, as a precautionary measure a standard cautionary condition has been requested and is included in the schedule of conditions to the recommendation to grant conditional consent.

In light of the required significant engineering works to form the estate roads and development plateaus, a supporting Engineering Strategy Report has been provided to demonstrate not only the different foundation design options for the site, but also by what means would the not insignificant middle tier structural fill embankment be stabilised. The lower and upper tiers of development (Plots 1 – 42; and 77 – 103) would have traditional strip and trench fill foundations; slit level houses (Plots 45 – 50) piled foundations with RC ground beams and retaining walls; while the middle tier would either have piled or raft foundations.

The proposed central embankment, which would vary in height between 1.5m – 6.0m, and have a gradient of between 1:5 and 1:1 at its steepest, would be reinforced using a specific stability system deployed by a specialist contractor.

Ecology

The ecological appraisal of the site included a Phase 1 Habitat Survey which looked at not only the application site itself, but also the immediate adjoining area up to 50m from the site boundary. While the majority of the site is comprises of semi-improved pasture, it does also

include walls, hedges and mature trees which represent habitats potentially suitable for certain protected species.

The methodology used in the ecological appraisal drew upon various ecological information data sources and field based assessments in respect of habitats and species. While there are no structures on the site, which could otherwise have provided opportunities as bat roosts, it was assumed that the site would offer foraging opportunities for bats and other species. The Habitat Survey is supplemented by both a Bat Survey of the individual trees and wooded areas, as well as a tree survey report.

The conclusions of the ecological appraisal of the site is that it was of limited ecological potential, with no bats confirmed as being present. Subject to site clearance being undertaken in accordance with an approved methodology, this would serve to prevent any harm being caused to recognised ecological interests on the site. Appropriate conditions requiring an ecological management plan to be prepared for the site, coupled with a construction management plan would further serve to safeguard such provisions.

Noise & Air Quality

In acknowledgement of the Inspectors decision letter on the upheld appeal against the refusal of the previous planning application S/18113 and conditions attached thereto, the present application is accompanied by an acoustic assessment, as well as an air quality assessment.

In respect of noise, the ambient sound environment at the site is influenced by road traffic using the A484, qualified by an environmental noise survey conducted at the site. The assessment considered the potential impacts of noise generated during the construction phase of the development, and the Best Practice Means (BPM) specified in BS 5228, which would apply to construction sites. In adhering to such BPM, which would form part of any Construction Environmental Management Plan (CEMP), the deployment of the standard measures should minimise any such disturbance. This is reflected in the response from the Public Protection Division, who do not object.

An assessment of air quality impacts associated with the construction and operational phases of the proposed development has been undertaken, to determine what impacts would be experienced from the main air pollutants. The scope of that assessment was discussed and agreed with colleagues in the Public Protection Division.

For the operational phase, the assessment of potential impacts on air quality due to local traffic emissions included a cumulative assessment of other consented or commenced developments in the immediate and surrounding area. The baseline data indicates that background concentrations of the main group of air pollutants in the vicinity of the site are comfortably below the annual mean objectives and there is no AQMA at or immediately adjoining the application site. The predicted concentrations of these main pollutants are shown to meeting the relevant air quality objectives within the Site and the impact of the proposals in terms of new exposure is considered to be negligible. Concentrations across the Site would therefore meet the relevant objectives and impacts with regards new exposure would be negligible

An assessment of construction related impacts in relation to human receptors has also been undertaken, with no grounds for concern, provided good practice is maintained.

Mitigation for both phases would take the form of, amongst others the implementation of appropriate dust and pollution control measures as set out within the IAQM guidance which would themselves be included in the construction management plan for the site. The proposed measures would then be subject to approval by the council prior to commencement of any work on site. A transport plan would also be required which would incorporate measures aimed at encouraging more sustainable travel such as walking and cycling and use of public transport. Subject to these safeguards it is predicted that the development would result in a negligible impact on local air quality and the residual effects would therefore be negligible

Community Contributions

The Council has adopted Supplementary Planning Guidance (SPG) in relation to Planning Obligations. The SPG requires financial contributions towards a variety of essential facilities and services, while in this particular instance a financial contribution is only being sought towards education improvements, in accordance with the Council's Modernising Education Provision (MEP) policy. The applicant is aware of this requirement and a provisional figure of £1,3***** has been calculated, which the applicant party has indicated they are prepared to pay, albeit verification of this sum is awaited from the Education Department before any section 106 agreement can be completed.

An onsite contribution towards affordable housing is not required in this case, as the proposal would provide 21 affordable dwellings, which would exceed the 20% requirement under LDP policy AH1 and associated SPG, which applies in the "middle viable areas" which Burry Port lies within. A planning condition will be attached to this permission requiring the dwellings to remain within this housing tenure. The development is considered to represent a significant contribution to social housing numbers.

Similarly, although no response has been received from the Council's Park Officer the proposal does make provision for a LAP (Local Area of Play) within the site, in compliance with LDP policy REC2 which requires the provision of an on-site area of open space.

THIRD PARTY REPRESENTATIONS

The application has attracted a significant number of objections from local residents, while the town council have also raised concerns regarding the development. The issues raised are addressed in the following summary response:

The majority of respondents are concerned that the local highway network within the surrounding area is inadequate to accommodate the additional traffic generated by the development with a resulting impact upon traffic congestion and highway safety. A number draw reference to the cumulative impact with other large housing developments that have been approved, completed or are under construction in the surrounding area while others are of the opinion that the relocated access further west along Pwll Road, nearer the Chivers Corner, will worsen highway safety given the proximity of the proposed access to the corner and the scale of the proposed development. The perceived impact on the limited local parking provision has also been raised.

The Transport Assessment which accompanied the application has been interrogated by officers in the Highways & Transportation Service who have raised no objection to the proposal from a highway capacity and safety perspective, and is satisfied that the likely additional traffic generated can be safely accommodated on the local highway network.

Likewise, they have confirmed their acceptance of the level of parking provision included in the scheme, which meets the adopted CSS parking standards. On the further point of proximity between the proposed new access point and Chivers Corner, there would be 90m separation between both, more than twice the required forward visibility within what is a 30mph speed zone.

As to the related concerns over the possible loss of existing public transport pick-up/drop-off points along Pwll Road, these are unfounded as none are to be lost as a result of the proposed development.

A further common ground of objection is the impact of the development upon the surrounding area with many citing concerns regarding the overdevelopment of the site and wider Burry Port area. A number question the need for additional housing or affordable housing in the area, given the number and size of other consented and allocated sites in Burry Port, as well as the present proposal for 103 dwellings on an allocation with a suggested capacity of 86 units.

The application site is allocated for residential development in the LDP and its suitability for the same was deemed to be acceptable by the Inspector presiding over the examination of the Plan. The allocation of the site and other sites in the wider area is a reflection of their location within the Tier 2 Service Centre of Burry Port as defined in the LDP, with its good range of services and facilities and sustainable transport routes.

Certain of the respondents have suggested that given the significant engineering required to facilitate the proposed development, that the foundation design of the dwellings and embankment should first be sought before recommending approval of the planning application. In response to such concerns the applicant has provided an Engineering Strategy Report covering both the different house foundation design options for the site, as well as the design of reinforcement for the embankment. The latter will take the form of horizontal geogrid mesh reinforcement, prepared by a qualified geotechnical engineer. The retention of material on site as part of the engineering of the development is seen as a positive initiative, in line with the Welsh Government's policy on the circular economy. The aforementioned detail provides the required level of assurance, while the construction of each house will require the requisite Building Regulations Approval.

As to concerns regarding the finishes of the dwellings, namely the introduction of more modern sustainable materials to the exterior of the houses. Such materials are becoming more common and serve to reinforce the sustainable credentials of new developments, in accordance with Welsh Government policy guidance contained in TAN12 Design.

A number of respondents have questioned the adequacy (or otherwise) of the local drainage infrastructure, both foul and surface water, and the impacts the proposed development will have locally. Welsh Water have confirmed their acceptance of the applicant's proposal to discharge foul water to the existing public sewer to the south of the site, while the Authority's drainage engineers have no in principle objection to the attenuated discharge of surface water to an existing SW culvert. The latter will provide a sustainable means of disposal ensuring that no surface water will enter the public sewerage system and no detriment is caused to neighbouring properties. While certain third parties have questioned and challenged such a drainage solution, attenuated surface water storage in its varied forms is a tried and tested form of surface water drainage, while the site itself is shown to be outside of any flood zone..

The issue of the impact of the development upon the residential amenity of surrounding residential properties has been carefully examined as part of officer's assessment of the application. The orientation and separating distances to existing properties adjoining the development site, as well as those to the opposite side of Pwll Road, will be such that no intrusive overlooking or loss of privacy would result from the development. Similarly, the layout will not cause any unacceptable impacts by way of loss of light or overshadowing.

It is not envisaged that the scale of development proposed will result in any adverse impacts in terms of traffic noise, disturbance or deterioration in air quality as the potential impacts of both have been assessed in the supporting Noise Assessment and Air Quality Assessments, and further scrutinised by colleagues in the Public Protection Division who have no objection to the development. Any permission granted will be conditioned to require the submission of a construction management plan (CMP), which will include measures such as a dust and noise mitigation as well as surface water run-off controls designed to minimise the impact of construction works upon local residents and the surrounding environs.

The consideration of the potential impacts upon wildlife and ecology on the site is challenged by a number of respondents, while as can be seen from the schedule of supporting documents not only has a Phase 1 Habitat Survey been undertaken for the site, but also a tree survey and bat survey. The council's own ecologist have no objection to the development, subject to the imposition of appropriate conditions.

A number of respondents have highlighted the perceived lack of services and facilities in the local area of the site while also suggesting that services such as schools and health care facilities don't have sufficient capacity to accommodate the development. As noted previously, the application site is well related to the wide range of services and facilities available in Burry Port as well as nearby public transport facilities. In terms of the impact upon local schools, colleagues in the Authority's education department have confirmed that there are sufficient surplus spaces in the catchment schools of the development to accommodate the likely pupil numbers. Furthermore, it is not envisaged that the range of health care services available in the wider area including doctor's surgeries and hospital facilities will be adversely affected by a development of the scale proposed.

The opinioned view that an archaeological written scheme of investigation (WSI) should be produced prior to determination of the planning application would be contrary to the advice provided by the council's specialist archaeological advisors, and the approach advocated in Welsh Government advice on such matters.

The statutory Pre- Application Consultation (PAC) exercise is criticised as being no more than a fait accompli, while the agent has demonstrated that such a statutory requirement was complied with, as documented in the submitted PAC Report.

A certain number of the respondents to the consultation exercise have raised issues with the potential loss of views, impact on property values, increased insurance premiums which are not material planning considerations to the consideration of this planning application.

CONCLUSION

The application site is located within the defined settlement limits of Burry Port and is allocated for residential use within the Adopted LPD under housing allocation T2/1/h9. As such, and given that planning permission has previously been granted for residential development on the site, there is a policy presumption in favour of granting planning

permission on the site, subject to compliance with other relevant planning policies. In light of the comprehensive detail provided in the submitted application, supplemented by additional technical information and empirical data provided to address the not insignificant objections received in opposition to the proposed development. The recommendation of officers is that planning permission should be granted for this proposed development, subject to the remaining outstanding observations of certain of the statutory consultees, and requirement of the developer to enter into a legal agreement with the council to pay the requisite financial contribution towards improving education provision in the local area.

The recommendation is therefore to grant conditional planning permission.

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 shall be carried out in accordance with the following approved plans and documents:-
 - Location Plan (1:1250 scale) Ref. 2249-100 Indexed 20-02-2018;
 - Site Layout (1:500 scale) Ref. 2249-101 Rev. D Indexed 19-09-2018;
 - Ghost Island Road Markings (1:500 scale) Drawing SK04 Indexed 15-06-2018;
 - Planting Plan (1 of 2) (1:250 scale) Ref. 399.01 (Catherine Etchell Associates Indexed 24-07-2018;
 - Planting Plan (2 of 2) (1:250 scale) Ref. 399.01 Rev. A (Catherine Etchell Associates Indexed 19-09-2018;
 - Engineering Layout (1 of 4) (1:250 scale) Ref. 2249/520-1 Rev. C Indexed 24-07-2018;
 - Engineering Layout (2 of 4) (1:250 scale) Ref. 2249/520-2 Rev. C Indexed 24-07-2018;
 - Engineering Layout (3 of 4) (1:250 scale) Ref. 2249/520-3 Rev. B Indexed 24-07-2018;
 - Engineering Layout (4 of 4) (1:250 scale) Ref. 2249/520-4 Rev. A Indexed 24-07-2018;
 - Site Sections (1 of 6) (1:500 & 1:200 scale) Ref. 2249/635-1 Rev. B Indexed 24-07-2018;
 - Site Sections (2 of 6) (1:200 scale) Ref. 2249/635-2 Rev. B Indexed 24-07-2018;
 - Site Sections (3 of 6) (1:200 scale) Ref. 2249/635-3 Rev. B Indexed 24-07-2018;
 - Site Sections (4 of 6) (1:500 & 1:200 scale) Ref. 2249/635-4 Rev. B Indexed 24-07-2018;
 - Site Sections (5 of 6) (1:200 scale) Ref. 2249/635-5 Rev. B Indexed 24-07-2018;
 - Site Sections (6 of 6) (1:200 scale) Ref. 2249/635-6 Rev. B Indexed 24-07-2018;
 - Tree Constraints Plan (1:1000 scale) Ref. 363.2 Indexed 24-07-2018;
 - Aerial Tree Constraints Plan (1:1000 scale) Ref. 363.2 Indexed 24-07-2018;
 - Topographical Survey Plan (1:500 scale) Ref. 13422-001 Indexed 20-02-2018;
 - House Type A1 – Elevations (1:100 scale) Ref. 2249-200-04 Indexed 20-02-2018;

- House Type A1 – Floor Plans (1:100 scale) Ref. 2249-200-01 Indexed 20-02-2018;
- House Type A2 – Elevations (1:100 scale) Ref. 2249-200-05 Indexed 20-02-2018;
- House Type A4 – Elevations (1:100 scale) Ref. 2249-200-07 Indexed 20-02-2018;
- House Type A5 – Elevations (1:100 scale) Ref. 2249-200-08 Indexed 20-02-2018;
- House Type A5 – Floor Plans (1:100 scale) Ref. 2249-200-02 Indexed 20-02-2018;
- House Type A5, A7 – Elevations (1:100 scale) Ref. 2249-200-10 Indexed 20-02-2018;
- House Type A5, A7 – Floor Plans (1:100 scale) Ref. 2249-200-03 Indexed 20-02-2018;
- House Type A6 – Elevations (1:100 scale) Ref. 2249-200-09 Indexed 20-02-2018;
- House Type B1 – Elevations (1:100 scale) Ref. 2249-201-04 Indexed 20-02-2018;
- House Type B1 – Floor Plans (1:100 scale) Ref. 2249-201-01 Indexed 20-02-2018;
- House Type B2 – Elevations (1:100 scale) Ref. 2249-201-05 Indexed 20-02-2018;
- House Type B3 – Elevations (1:100 scale) Ref. 2249-201-06 Indexed 20-02-2018;
- House Type B3 – Floor Plans (1:100 scale) Ref. 2249-201-02 Indexed 20-02-2018;
- House Type B4 – Elevations (1:100 scale) Ref. 2249-201-07 Indexed 20-02-2018;
- House Type B5 – Elevations (1:100 scale) Ref. 2249-201-08 Indexed 20-02-2018;
- House Type B5 – Floor Plans (1:100 scale) Ref. 2249-201-03 Indexed 20-02-2018;
- House Type B6 – Elevations (1:100 scale) Ref. 2249-201-09 Indexed 20-02-2018;
- House Type C1 – Elevations (1:100 scale) Ref. 2249-202-03 Indexed 20-02-2018;
- House Type C1 – Floor Plans (1:100 scale) Ref. 2249-202-01 Indexed 20-02-2018;
- House Type C2 – Elevations (1:100 scale) Ref. 2249-202-04 Indexed 20-02-2018;
- House Type C2 – Floor Plans (1:100 scale) Ref. 2249-202-02 Indexed 20-02-2018;
- House Type D12 – Elevations (1:100 scale) Ref. 2249-203-02 Indexed 20-02-2018;
- House Type D1 – Floor Plans (1:100 scale) Ref. 2249-203-01 Indexed 20-02-2018;
- House Type E1 – Elevations (1:100 scale) Ref. 2249-204-02 Indexed 20-02-2018;
- House Type E1 – Floor Plans (1:100 scale) Ref. 2249-204-01 Indexed 20-02-2018;

- House Type F1 – Elevations Plans (1:100 scale) Ref. 2249-205-02 Indexed 20-02-2018;
- House Type F1, F2 – Floor Plans (1:100 scale) Ref. 2249-205-01 Rev. A Indexed 20-02-2018;
- House Type F2 – Elevations Plans (1:100 scale) Ref. 2249-205-03 Indexed 20-02-2018;
- House Type G1 – Elevations Plans (1:100 scale) Ref. 2249-206-02 Rev. A Indexed 20-02-2018;
- House Type G2 – Elevations Plans (1:100 scale) Ref. 2249-206-03 Rev. A Indexed 20-02-2018;
- House Type G1, G2 – Floor Plans (1:100 scale) Ref. 2249-206-01 Rev. A Indexed 20-02-2018;
- House Type H1 – Elevations (1:100 scale) Ref. 2249-207-02 Indexed 20-02-2018;
- House Type H1 – Floor Plans (1:100 scale) Ref. 2249-207-01 Indexed 20-02-2018;

3 A sample/detailed specification of the external finishes to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.

4 No development shall be commenced until a construction management plan (CMP) detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the Local Planning Authority. The details of the CMP shall be implemented as approved and must be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately. The scheme shall be implemented as approved and shall identify, as a minimum:-

- identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses;
- how each of those watercourses and pathways will be protected from site run off during construction;
- how the water quality of the watercourses will be monitored and recorded;
- how surface water runoff from the site during construction will be managed/discharged;

(Please note that it is not acceptable for ANY pollution (e.g. sediment/silt/oils/chemicals/cement etc.) to enter the surrounding watercourses)

- storage facilities for all fuels, oils and chemicals;
- construction compounds, car parks, offices etc.;
- details of the nature, type and quantity of materials to be imported on to the site;
- measures for dealing with any contaminated material (demolition waste or excavated waste);

- identification of any buried services, such as foul sewers, so that they are protected;
 - details of emergency contacts, for example Natural Resources Wales hotline.
- 5 Prior to commencement of development a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made;
 - ii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
 - iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing.
- 6 No dwellings hereby approved shall be occupied until the Llys Penallt surface water removal scheme, as detailed in the SW Betterment Strategy Note dated May 2018 (Spring Design) has been implemented in full, and shall thereafter be retained as such in perpetuity
- 7 No development shall commence until the water main safeguarded zone has been fenced to a standard agreed with the local planning authority. Throughout the development no works will be undertaken within the area surrounded by the fencing without the written consent of the local planning authority.
- 8 Prior to the commencement of the development hereby approved a scheme of surface water removal based upon the principles contained in the Drainage Strategy Note [Rev A] December 2017 prepared by Spring Design, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and to the written approval of the local planning authority prior to the occupation of any of the residential units hereby approved.
- 9 Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.5 metre carriageway, 1.8 metre footways, and at least 6.0 metre kerbed radii at the junction with the A484 road.
- 10 Prior to any use of the estate road by vehicular traffic, a visibility splay of 2.4 metres x 43 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the estate road in relation to the nearer edge of carriageway.

- 11 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.
- 12 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 in perpetuity, 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.
- 13 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 14 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 15 No development shall take place until a detailed Construction Traffic Management Plan is submitted for the written approval of the Local Planning Authority and thereafter implemented in full and as agreed.
- 16 Prior to the commencement of development the written approval of the Local Planning Authority is to be obtained for a scheme detailing the provision and frequency of use of facilities for washing down the wheels of vehicles prior to entering the public highway. The agreed scheme shall be implemented in full and maintained as necessary throughout the construction stage.
- 17 Throughout the construction phase a construction access road shall be provided, at the location of the proposed site access road with the initial 15 metres, measured from the near edge of the highway, surfaced in a bonded material and maintained.
- 18 The existing means of vehicular access into the site (location shown on Site Layout Plan 2249-101 Rev D) shall be permanently stopped up, and the public highway reinstated to the written approval of the Local Planning Authority, prior to the new means of vehicular access herein approved, being brought into use.
- 19 No development shall commence, including any works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall include as a minimum the site specific mitigation measures contained in the submitted Air Quality Assessment (Kairus Ltd) as well as provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during demolition and construction; and

vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

20 No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.

21 Prior to the commencement of any works associated with the development, proposals for the location, alignment, design, materials and type of all boundary treatments to be erected within and along the site boundary shall be submitted to and approved by the Local Planning Authority. The submitted proposals shall specifically include the following: -

- i) Schedule of remedial works to ensure retention of the existing stone wall to the site frontage with Pwll Road;
- ii) Construction details for integration of the stone wall at the proposed new site entrance.

The proposals shall be implemented as approved within 12 months of the commencement of the development.

22 Notwithstanding the information submitted within the landscape design scheme as defined in the following submitted documents:-

- Planting Plan (1 of 2) (1:250 scale) Ref. 399.01 (Catherine Etchell Associates Indexed 24-07-2018);
- Planting Plan (2 of 2) (1:250 scale) Ref. 399.01 Rev. A (Catherine Etchell Associates Indexed 19-09-2018);

No development shall take place until a revised Detailed Landscape Design Scheme, has been submitted to and approved in writing by the Local Planning Authority. The revised scheme shall specifically deliver proposals to address the following: -

- i) Resolution of conflict between proposed tree planting locations and underground drainage apparatus;
- ii) Provision of additional woodland planting to the north of the site.
- iii) Provision of additional tree planting at appropriate locations throughout the site

The scheme shall be in compliance with recommendations and relevant guidance as provided by the Local Planning Authority.

23 The revised Detailed Landscape Design Scheme, as submitted in accordance with condition no.22 above, shall be implemented in the first planting season following commencement of the development. Any of the hereby scheduled specific landscape elements, as defined in the approved Landscape Design Scheme which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning

Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the Local Planning Authority, and thereafter likewise conditioned for the lifetime of the approved development.

- i) Tree planting to the open space to the site frontage between Pwll Road and plots numbered 80-92
- ii) Tree planting to the west of plots 75-78
- iii) Street trees

24 All new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Landscape Design Scheme not hereby specifically scheduled, which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

25 All site operations shall be undertaken in compliance with the approved arboricultural information, as defined in the Arboricultural Report prepared by ArbTS dated 20 July 2018.

Any construction operations and/or access within the construction exclusion zone defined within the Tree Protection Plan (TPP) shall be limited to those undertaken in compliance with the recommendations of BS5837. The approved TPP shall be fully implemented, prior to the commencement of any works associated with the development; and thereafter shall be maintained in its entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

Any existing landscape elements, identified for protection or part thereof, which, within 5 years of are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the existing landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the Local Planning Authority, and thereafter likewise conditioned for a further period of five years.

26 No development shall take place until appropriate and comprehensive Landscape Maintenance and Management (LMM) information has been submitted to, and approved in writing by the Local Planning Authority. The information shall include the following:-

- i) Landscape Maintenance and Management Responsibility Plan which provides clear definition of LMM responsibility for all landscape areas within the application boundary specifically: -
 - Areas subject to future private residential ownership
 - Areas of the site proposed for adoption by the Local Authority
 - Areas within the site boundary not included in the above.

- ii) Landscape Maintenance and Management Scheme (LMMS) for all landscape areas within the application boundary which are not subject to future private residential ownership or adoption by the Local Authority. The LMMS shall include:
- - Plans, specifications and schedules to cover establishment and long term proposals for landscape maintenance and management;
 - Details of the management agent (body or organisation) responsible for implementation of the LMMS; and the legal and funding mechanism(s) with the identified management agent by which delivery of the LMMS will be secured;

All landscape maintenance and management operations shall be fully implemented as approved.

- 27 Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 28 No development or site clearance shall take place until an Ecological Management Plan which provides appropriate and comprehensive maintenance, management and monitoring information covering all elements of the revised Ecological Appraisal Report has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall provide details which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions; and recommendations provided by National Resources Wales and local authority ecologist in response to the planning application hereby approved.
- 29 Prior to the commencement of development the applicant shall submit for the written approval of the Local Planning Authority a Travel Plan in accordance with the aims and objectives set out in the Active Travel (Wales) Act 2013, and recommendations contained in the submitted Transport Assessment (LvW Highways) and Air Quality Assessment (Kairus Ltd).

The applicant shall implement and monitor the approved travel plan in accordance with the specified timescales and thereafter maintain and develop the travel plan.

- 30 Prior to the commencement of development and in accordance with the recommendations made in the Supplementary Site Investigation Report prepared by Integral Geotechnique (Wales) Limited dated 14 February 2018, the following need to be submitted for the written approval of the Local Planning Authority:-
- Proof drilling investigations on a plot by plot basis, as per the recommendations of the Supplementary Site Investigation Report, to establish the risk from coal mining activity within the western part of the site;
 - The submission of a report of findings arising from the probe hole investigations and any remedial works and/ or mitigation measures considered necessary; and
 - Subsequent implementation of the remedial work and/or mitigation measures.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt as to the extent of this permission.
- 3 & 21 In the interest of visual and residential amenity.
- 4 In the interests of environmental protection.
- 5 To ensure the delivery of affordable housing on the site.
- 6 To prevent pollution of the environment and ensure compliance with the MoU
- 7 To protect Welsh Water assets and the delivery of essential services
- 8 To ensure a satisfactory means of surface water disposal and to prevent localised flooding
- 9-18 In the interest of highway safety
- 19 To prevent pollution of the environment.
- 20 To protect historic environment interests whilst enabling development.
- 22-26 To retain and protect features of landscape and biodiversity value.
- 27 To ensure that the amenity of local residents/businesses is adequately protected from dust during demolition/construction.
- 28 To ensure an appropriate level of environmental protection.
- 29 To encourage sustainable means of transport;
- 30 To protect against ground instability.

NOTE(S)

- 1 The applicant/developer is advised that this consent is subject to the applicant entering into a legal agreement with the local planning authority under Section 106 of the Town and Country Planning Act 1990. This agreement shall cover the requirement for the applicant/developer to pay a financial contribution to the Council in respect of improvements to educational facilities in the locality.
- 2 Further advice and guidance from consultees is provided in their consultation responses which can be viewed on the Authority's website. This may include reference to other relevant permissions and legislation.
- 3 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 outline 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.

Mae'r dudalen hon yn wag yn fwriadol

Dydd Mawrth, 4 Medi 2018

YN BRESENNOL: Y Cyngorydd A. Lenny (Cadeirydd)

Y Cyngorwyr:

S.M. Allen, J.M. Charles, S.A. Curry, I.W. Davies, P.M. Edwards, W.T. Evans, S.J.G. Gilasbey, J.K. Howell, J.D. James, D. Jones, H.I. Jones, A. Lenny, M.J.A. Lewis, K. Lloyd, K. Madge, B.D.J. Phillips and J.E. Williams

Hefyd yn bresennol:

Y Cyngorwyr A.Vaughan Owen a fu'n annerch y Pwyllgor mewn perthynas â chais cynllunio W/34933.

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

K. Byrne, Cyfreithiwr Cynorthwyol
K. James, Peiriannydd Cynorthwyol (Cydgysylltu Cynllunio)
J. Thomas, Uwch Swyddog Rheoli Datblygu (y De)
K. Thomas, Swyddog Gwasanaethau Democraidd

Y Siambr, Neuadd y Sir - 11.15 am - 12.20 pm

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cyngorwyr J.A. Davies, A.C. Jones a G.B. Thomas

2. DATGAN BUDDIANNAU PERSONOL

Y Cyngorydd	Rhif y Cofnod	Y Math o Fuddiant
D. Phillips	4.1 - Cais Cynllunio W/37471 – Estyniad ar ochr y llawr cyntaf ac estyniad unllawr yn y cefn, 42 Maes Abaty, Hendy-gwyn ar Daf, SA34 0HQ	Buddiant Busnes Personol

3. W/34933 - ADEILADU 20 O DAI PRESWYL AR WAHÂN AR GYFER Y FARCHNAD BREIFAT GYDA GAREJIS YN RHAN O'R TAI, A 2 DY PÂR FFORDDIADWY, POB UN Â LLE PARCIO A DARN PREIFAT O DIR AR Y LLAIN; GWELLA A LLEDU'R FFORDD FABWYSIEDIG BRESENNOL AC ADEILADU FFYRDD MABWYSIEDIG NEWYDD AR DIR SYDD WEDI'I GLUSTNODI YN Y CYNLLUN DATBLYGU LLEOL AR GYFER DATBLYGIAD PRESWYL YM MRON YR YNN, DREFACH, LLANELLI, SA14 7AH

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y De) at ymweliad preifat â'r safle gan y Pwyllgor yn gynharach y diwrnod hwnnw (gweler cofnod 6.1 o gyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 17 Ebrill 2018) a drefnwyd er mwyn i'r Pwyllgor gael golwg ar y safle a threfniadau o ran mynediad. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad ysgrifenedig y Pennaeth Cynllunio,

ynghyd â'r atodiad a ddisbarthwyd yn y cyfarfod, a oedd yn rhoi arfarniad o'r safle, ynghyd â disgrifiad o'r datblygiad arfaethedig, crynodeb o'r ymatebion i'r ymgynghori a gwybodaeth am y polisïau lleol a chenedlaethol oedd yn berthnasol i'r asesiad o'r cais.

Daeth sylw i law a wrthwynebai'r cais ac a ailbwysleisiai'r gwrthwynebiadau y manylwyd arnynt yn adroddiad y Pennaeth Cynllunio mewn perthynas â lleoli'r ffordd fynediad yn agos at dro ar y B4310 a'r ysgol gynradd gyfagos ynghyd â'r potensial i bobl ddefnyddio'r ffordd fel llwybr i osgoi traffig rhwng Heol Cwm-mawr a Heol Blaenhirwaun. Codwyd pryderon ychwanegol ynghylch yr effaith bosibl y gallai'r traffig ychwanegol a grëir gan y datblygiad ei chael ar y rhwydwaith priffyrdd/cerddwyr ar ystad Bron yr Ynn a'r lleoedd parcio ar y stryd presennol ar gyfer y byngalos sy'n wynebu'r safle datblygu, ynghyd â cholli'r llecyn gwyrdd presennol i hwyluso adeiladu ffordd fynediad yr ystad newydd. Cyfeiriwyd hefyd at yr angen i sicrhau cyfraniad ariannol tuag at ddarparu cyfleusterau chwarae yn yr ardal.

Cyfeiriodd y Pwyllgor at y trefniadau arfaethedig o ran y priffyrdd ac arafu traffig sydd i'w cyflwyno fel rhan o'r datblygiad arfaethedig a'r farn oedd y dylent gynnwys gosod 'Arwydd Ymateb i Yrwy'r' sy'n fflachio ar ochr ddwyreiniol y B4310 cyn y mynediad newydd arfaethedig a dechrau'r terfyn cyflymder o 20mya.

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

PENDERFYNWYD caniatáu Cais Cynllunio W/34933 yn amodol ar yr amodau y manylwyd arnynt yn Adroddiad/Atodiad y Pennaeth Cynllunio a'r amod ychwanegol a oedd yn mynnu bod Arwydd Ymateb i Yrwy'r sy'n fflachio yn cael ei gosod.

4. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

4.1 PENDERFYNWYD caniatáu'r cais cynllunio canlynol yn amodol ar yr amodau y manylwyd arnynt yn Adroddiad y Pennaeth Cynllunio

W/37471	Estyniad ar ochr y llawr cyntaf ac estyniad unllawr yn y cefn, 42 Maes Abaty, Hendy-gwyn ar Daf, SA34 0HQ (NODER: Roedd y Cynghorydd D. Philips wedi datgan buddiant yn y cais hwn yn gynharach a gadawodd y Siambr tra oedd y cais yn cael ei drafod gan y Pwyllgor ac ni wnaeth gymryd rhan yn y penderfyniad yn ei gylch)
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CADEIRYDD

DYDDIAD