

Pecyn Dogfennau



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

DYDD MERCHER, 28 CHWEFROR 2018

AT: HOLL AELODAU'R PWYLLGOR CYNLLUNIO

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R
PWYLLGOR CYNLLUNIO A GYNHELIR YN **Y SIAMBR, NEUADD Y SIR** AM
10.00 AM, DYDD IAU, 8^{FED} MAWRTH, 2018 ER MWYN CYFLAWNI'R
MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democrataidd:	Janine Owen
Ffôn (Ilinell uniongyrchol):	01267 224030
E-bost:	JanineOwen@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 Suzy Curry
2. Y Cynghorydd Penny Edwards
3. Y Cynghorydd John James Aelod o Gyngor Tref Pen-bre a Phorth Tywyn
4. Y Cynghorydd Dot Jones Aelod o Gyngor Cymuned Llannon
5. Y Cynghorydd Ken Lloyd Aelod o Gyngor Tref Caerfyrddin
6. Y Cynghorydd Kevin Madge Aelod o Gyngor Tref Cwmaman

Y GRŴP ANNIBYNNOL – 4 AELOD

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

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGAN BUDDIANNAU PERSONOL
3. RHANBARTH Y DE - 5 - 60
PENDERFYNU AR GEISIADAU CYNLLUNIO
4. RHANBARTH Y GORLLEWIN - 61 - 92
PENDERFYNU AR GEISIADAU CYNLLUNIO
5. LLOFNODI YN COFNOD CYWIR COFNODION Y CYFARFOD A 93 - 96
GYNHALIWYD AR 8^{FED} CHWEFROR 2018

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 8 MAWRTH 2018
ON 8 MARCH 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:	08 MARCH 2018
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
S/34755	Two static residential caravans together with the erection of a day/utility room, two touring caravans and a stable block (partly retrospective) at land at Hillside View, Hendy, Llannon, SA14 8JX
S/36679	Reserved matters relating to access, appearance, landscaping, layout and scale, together with the discharge of Conditions 7, 9 and 11 attached to planning permission S/27346 at land at Maes Y Bryn, Penllywngwyn Road, Bryn, Llanelli, SA14 9RQ
S/36707	Construction of 29 no. residential units with associated access, landscaping and infrastructure works at land off Frondeg Terrace, Llanelli, SA15 1QB

REF.	ADDITIONAL ITEMS FOR DECISION
S/35645	Residential dwelling and garage at land off Hafod Road, Tycroes, Ammanford, SA18 3GA

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/34755
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Application Type	Full Planning
Proposal & Location	TWO STATIC RESIDENTIAL CARAVANS TOGETHER WITH THE ERECTION OF A DAY/UTILITY ROOM, TWO TOURING CARAVANS AND A STABLE BLOCK (PARTLY RETROSPECTIVE) AT LAND AT HILLSIDE VIEW, HENDY, LLANNON, SA14 8JX

Applicant(s)	MR ADAM EVANS & MR CC J EVANS, 42 LLYN TIRCOED, TIRCOED FOREST VILLAGE, PENLLERGAER, SWANSEA, SA4 9LB
Agent	HAYSTON DEVELOPMENTS & PLANNANDREW VAUGHAN-HARRIES, THE PLANNING STUDIO, HAYSTON BRIDGE, JOHNSTON, HAVERFORDWEST, PEMBROKESHIRE, SA62 3HJ
Case Officer	Paul Roberts
Ward	Hendy
Date of validation	24/11/2016

CONSULTATIONS

Head of Transport – Has raised no objection to the access, parking and turning area layouts proposed subject to the imposition of suitable conditions. He does, however, raise concerns that the presence of the stable building within the development and the land being rented by the applicant for the grazing of horses on the opposite side of the B4306 will result in pedestrians and animals walking their animals along the road where there are no pedestrian facilities.

Llanedi Community Council – Object to the application on the following grounds:-

- The development has been completed prior to making an application for planning consent;
- The site is outside the village development limits;
- The proposal will result in an adverse impact upon the rural environment;
- Access to the site is inappropriate;

- The access into the site does not have any street lights.

Local Member - County Councillor G B Thomas has objected to the application for the following reasons and has requested that the Planning Committee undertake a site visit to assess the development:-

- It is located well outside the curtilage of Hendy and is not in the LDP;
- The site is located in the middle of agricultural land and woodland and the development will be totally out of character with the surrounding area;
- Access is onto a very busy and fast B class road leading from Hendy to Llannon which is a notoriously dangerous road where numerous accidents have occurred in the past;
- The site has ecological value in that it is a species rich meadow.

Neighbours/Public – The application has been publicised with the posting of a site notice on the entrance to the site. In response, one third party letter of representation has been received which raises the following issues of concern:-

- The applicant has blatantly disregarded planning application protocol;
- The land is remote and within an area of previously unblemished countryside;
- The development is unsightly and not in keeping with the surrounding area;
- Access to the site is directly onto the B4306 which is very busy;
- The visibility onto the B4306 is limited and unsafe;
- The applicant's address is in a modern housing estate which does not describe a place where a traveller would decide to live;
- The lack of a logical policy for traveller sites in the County should not be an excuse to allow unorganised, piecemeal, inadequate and unsightly developments in areas where no other person would be given planning consent;
- Concern that the applicant will replace the caravans with a house once permission has been granted.

RELEVANT PLANNING HISTORY

The following previous applications have been received in respect of the application site:-

S/33962	Closure of existing road entrance and opening a new road entrance. Full planning permission	15 August 2016
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APPRAISAL

THE SITE

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The application site consists of an irregular shaped parcel of land located on the south westerly flank of the B4306 in a countryside location to the north of the village of Hendy. The site is located approximately 1.4 kilometres to the north of the built form of the village and extends to approximately 0.5 of a hectare in area.

Having previously consisted of a grassed field enclosure with a gated entrance onto the B4306 close to its northern perimeter, the southern half of the site has since been cleared and excavated to form a level surface to accommodate residential accommodation in the form of two no. static caravans. A new access has been created onto the B4306 at the southern end of the original enclosure which leads into the site which consists of a large loose stone hardstanding area. Other structures in the site include a timber stable building, a number of portacabin structures which are being used as utility/day rooms as well as touring caravans. The hardstanding area is bounded with timber fencing which extends along the access up to the roadway where it replaces part of the original hedgerow that has been removed to provide the access and its splayed entrance onto the B4306.

The surrounding area is of a rural character and appearance consisting of field enclosures interspersed with wooded areas. The roadway has no footways or pedestrian facilities. The site is approximately 2.7 kilometres from the centre of the village of Hendy and its facilities and services while the village of Llannon is located some 4 kilometres to the north along the B4306.

THE PROPOSAL

The application seeks retrospective planning permission for the siting of two static caravans on the site together with the formation of the access and hardstanding area. The proposal also includes the retention of the existing stable building and the siting of a utility/day room building and two touring caravans together with associated parking and turning areas. The site is to be used for residential purposes by the applicant, his family and parents who are members of the traveller community.

By way of background to the application, the applicant previously applied for planning permission for the creation of new access into the field enclosure back in 2016 which was to replace the original substandard access close its northern perimeter. Application S/33962 refers. At the time of the application, he confirmed his intention to graze his horses in the field and that the new access was required to provide a safer access and egress to and from the enclosure. However, shortly after the granting of planning permission, the applicant cleared and excavated the site and introduced the existing structures and caravans referred to above and he and his family have been living on the site since this time.

The two static caravans are to be sited on the southern edge of the hardstanding area adjacent to the access and existing stable building. The new utility/day room building is to consist of a mobile portacabin structure which will be sited close to the site's road frontage and will be flanked by the two touring caravans and four no. parking spaces. The stable building is of a timber frame construction with timber clad elevations and currently houses the electricity generator that serves the site.

Foul water from the development is disposed of via an existing septic tank located in the southern part of the site close to the access. Surface water is disposed of via soakaways within the development. The north western half of the site is to remain as a field paddock and is accessed from the hardstanding area via a gated entrance adjacent to the stable

building. The applicant is also currently renting a further 4 hectares of land to the south of the site on the opposite side of the B4306 to graze his horses.

The current level of visibility at the entrance to the site is to be improved as part of the proposal to accord with the Head of Transport's requirements. A visibility splay of 2.4 metres by 160 metres is to be provided either side of the access which will require the applicant to translocate existing hedgerows into the site and away from the edge of the carriageway. It will also require the trimming back of frontage trees and hedgerows further to the south east of the access and it is noteworthy that whilst these are not in the control or ownership of the applicant, formal notice has been served on the relevant landowner who has confirmed his acceptance of these works.

The existing fencing located either side of the access is to be reduced in height and repositioned behind a new hedgerow that will provide a visual screen to the development and connect to the translocated hedge. The translocated hedge will also be augmented with additional planting.

The supporting statement accompanying the application confirms that the applicant and his father are descendants of a Welsh Romany Gypsy family and describes their lifestyle as falling within the definition of "travellers" as defined in Welsh Assembly Circular 30/2007 "Planning for Gypsy and Traveller Caravan Sites".

Historically, the family have worked in the scrap metal industry throughout South Wales and parts of England and have lived in a number of traveller sites in the County including a Council run site in the Morfa in Llanelli and a private site at Westover in Whitland. Their stay at the latter extended to some 27 years with the applicant attending the primary school in Whitland. Family connections resulted in them moving to Cheltenham in 2001 before moving back to traveller sites in the Swansea area in 2010 given that the majority of the applicant's scrap and vehicle recovery business was in the South Wales area. Family feuds within the traveller sites and a lack of available pitches resulted in the applicant and his family moving to a rental property in Penllergaer, Swansea while his parents were residing in a Council property in Gorseinon. The applicant's children attend Penllergaer primary school.

The applicant wishes to return to his gypsy traditions of living in a mobile home with his family and parents and purchased the application site for this purpose. In doing so, the statement draws reference to the lack of both publicly and privately owned traveller sites in the area. The applicant is currently renting commercial yards in Pontarddulais and Gorseinon in association with his business and the touring caravans proposed are required for those periods when he works away from the yards and application site.

PLANNING POLICY

In the context of the Authority's current Development Plan the application site is located in the countryside outside the development limits of settlements defined in the Local Development Plan. The following policies are of relevance to the proposal.

The LDP does not contain any allocated gypsy and traveller sites, but relies on a criteria-based policy to deal with such proposals. The relevant policy is Policy H7 which permits proposals for gypsy and traveller sites or extensions to existing sites subject to four qualifying criteria. These include the need for the proposed location to be reasonably

accessible to a range of facilities and services, including existing community, social and educational provisions, and being within close proximity of main transport routes.

The second criterion requires that proposals should not be detrimental to nearby residents and adjoining land uses by virtue of noise and other disturbances. Thirdly, sites must be capable of being serviced with water, electricity, sewage and waste disposal, while the fourth criterion requires that there shall be no adverse effect on the landscape/townscape or the setting and integrity of the historic environment.

Policy GP1 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 EQ4 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 EQ7 is relevant to the proposal in that it is located within the Caeau Mynydd Mawr SPG Area where developments are required to contribute towards increasing the quality and amount of suitable habitat for Marsh Fritillary butterfly available within the SPG Area.

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.

National policy advice relating to gypsy and traveller caravan sites is set out in Welsh Assembly Government Circular 30/2007.

THIRD PARTY REPRESENTATIONS

The application has attracted one letter of objection from a neighbouring resident as well as objections from the local member for the ward and Llanedi Community Council. The issues raised are appraised below.

A common ground of objection amongst respondents is that the site is located outside the development limits of Hendy as defined in the LDP being remote from the village and in the countryside. Reference is made to the unsightly appearance of the development which it is suggested is not in keeping with and harmful to the appearance of the surrounding rural area.

Although the site lies in an area of countryside outside the development limits of any recognised settlement defined in the LDP, advice contained in Circular 30/2007 provides

that gypsy sites in rural settings which are not subject to any specific planning or other constraints are acceptable in principle. It also advises against an over rigid interpretation of national or local policies that seek a reduction in car borne travel and that sites should respect the scale of and not be so large as to dominate the nearest settled community serving them.

The site is not located in an area subject to any landscape or environmental designation and although it fronts the public highway and is visible in a local context, its modest scale means that it does not dominate the appearance of the surrounding rural area or the village of Hendy. Roadside screening provided by the translocated hedgerow combined with supplementary planting and a reduction in the height of the existing fencing that flanks the access will assist in minimising the visual impact of the development to the extent that it will not unacceptably challenge the objectives of the Circular or policies H7 and GP1 of the LDP.

In terms of sustainability, the site is typical of many rural locations in that its distance from local facilities in the village of Hendy and the absence of footways will mean that the occupiers are reliant on a car for day to day services. Notwithstanding this, advice contained in the Circular promotes a more pragmatic approach to car borne journeys in relation to gypsy developments and the location of the site performs well against the objectives of the first criterion of Policy H7 of the LDP in that it is reasonably accessible to the village of Hendy and its range of services and facilities. Furthermore, it is close to main transport routes both in terms of the A4138 that runs through Hendy and the M4 and the occupiers will also therefore have easy access to the higher order facilities available in the wider area.

In addition, the development will not be detrimental to the amenity of nearby residents given its countryside location and the separating distances to neighbouring properties. The site is also capable of being serviced with the required amenities and infrastructure in that foul drainage from the site is disposed of to a septic tank and the development has a water and electricity supply.

Turning to the matter of highway safety, although the current level of visibility from the site access is substandard, the applicant's proposals to translocate the existing hedgerows back from the roadway either side of the access and trim back frontage trees and hedgerows further to the south east of the access will provide visibility splays (i.e. 2.4 metres by 160 metres) commensurate with the 50mph speed limit along this part of the B4306. Vehicles will therefore be able to safely access and egress the site and the Head of Transport has confirmed his acceptance of the applicant's proposals and recommended the imposition of a condition securing the provision and retention of the improvements. Any permission granted will be conditioned in accordance with this advice. Furthermore, the parking and turning areas within the development are deemed to be acceptable for the purposes of the development.

The Head of Transport has raised concerns that the presence of the stable building within the development will result in the applicant and his family walking their horses along the road to the field enclosure on the opposite side of the B4306 that is currently being rented to graze the horses. The entrance to the field is located some 30 metres to the south east of the access to the site. Whilst these concerns are noted, the transfer of horses between the two fields would have occurred without the presence of the stable building on the site, whether by walking or transport via horse box. Officers are satisfied that the proposal will not result in an unacceptable increase in movements along the road to the extent that they will undermine the current level of highway safety. Furthermore, The Head of Transport has not raised concerns regarding the lack of lighting along the access into the site.

The proposal is therefore in accord with the objectives of Policies GP1 and T3 of the LDP in terms of its likely highway impacts. It is also in compliance with the requirements of the Circular which advises that proposals should not be rejected if they would give rise to only modest additional vehicle movements and the impact upon minor roads would not be significant.

The Authority's Planning Ecologist has raised no objection to the application from an ecological perspective subject to the imposition of a condition securing the submission of a detailed hedgerow translocation and mitigation scheme and the implementation of the same as part of any permission granted. The permission granted will be conditioned in accordance with this advice and require the implementation of the translocation scheme at the earliest opportunity so as to secure the necessary improvements to the existing access.

Finally, despite the retrospective nature of the application the Authority is nevertheless required to consider the application against the relevant local and national policy context as outlined above. Concerns that the applicant will replace the caravans with a house are not relevant material in the determination of the current application.

CONCLUSION

Circular 30/2007 requires that the Authority make provision for gypsy and traveller caravan sites in the County through site allocation where a need is identified, along with criteria-based policies. Previous work undertaken by the Housing Service in 2012 identified a requirement for a new site in the Llanelli area for travellers with long established links with the area and this was reinforced by their more recent Gypsy and Traveller Needs Assessment which was approved by the Welsh Government early last year. Notwithstanding this there are currently no allocated sites in the Llanelli area with the LDP relying on a criteria based policy whereby proposals for new sites are considered against the requirements of Policy H7 of the Plan, as referred to above.

The Authority does have an existing gypsy and traveller site at Penybryn in Bynea which originally consisted of 30 caravan pitches. However, part of the site fell into a state of disrepair after it ceased being used in 2008/2009 and as a consequence 15 of the pitches and their associated amenity blocks were subsequently cleared from the site back in 2013.

The Authority has considered the option of reinstating these pitches to a habitable standard to meet the need identified in the Llanelli Area, however, there remain a number of constraints on the site. As a result, the Authority's Housing Service are undertaking a search for a new traveller site(s) in order to meet the identified need in the Llanelli area with a view to designating the site(s) as part of the forthcoming review of the Authority's LDP. It is anticipated that the revised LDP will be adopted by 2021.

Circular 30/2007 advises that the granting of a temporary permission may be justified in respect of gypsy proposals where, firstly, there is a reasonable expectation that new sites are likely to become available at the end of the period in the area which will meet the identified need and, secondly, there are no overriding objections on other grounds. Whilst the applicant is seeking to establish a new privately owned site in the absence of the availability of a suitable existing site or allocation, given the Authority's intention to identify and designate a new site in the revised LDP to meet the identified need in the Llanelli area, it is considered reasonable in this instance to grant a temporary permission for a four year period. This approach is consistent with the Circular advice in that there is an expectation

that a new site will be allocated in the LDP and ultimately provided by the Authority thereby allowing the consolidation of such developments on a suitable site rather than having individual piecemeal developments in countryside locations in the wider Llanelli area.

The permission granted will therefore be conditioned for a temporary period of three years following which the entire development, with the exception of the hedge translocation works, planting proposals and new field entrance previously approved, shall be removed from the site and the land reinstated to its original use as a field enclosure. Suitable conditions will also be imposed restricting the occupation of the development to the applicant and his family and precluding commercial activities from taking place on the site. The latter will protect the surrounding area from potential visual and noise intrusion.

Finally, it is noteworthy that the Authority's Planning Ecologist has advised that the site is located within the Caeau Mynydd Mawr SPG area whereby developments that will potentially impact upon the Caeau Mynydd Mawr Special Area of Conservation are required to make a financial contribution to mitigate for the loss of habitat that will occur as a result of the development. However, in this instance it is considered unreasonable to request such a contribution given the intention to grant a temporary permission and the requirement to re-instate the land following this period.

In light of the foregoing, the proposal is considered to accord with the objectives of the abovementioned policies and is therefore presented with a recommendation for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a partly retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 24 November 2016.
- 2 The development shall be carried out in accordance with the details shown on the following schedule of plans:-
 - Site and location plan (02d) received on 5 February 2018;
 - Site plan (24) received on 22 February 2018;
 - Floor plans and elevations of stable block (06c) received on 22 February 2018;
 - Septic tank installation details (07) received on 28 September 2016;
 - Visibility splays – translocation works to LHS on plan of entrance (09d) received on 22 February 2018;
 - Visibility splays – translocation works to RHS on plan of entrance (10d) received on 22 February 2018;
 - Overall visibility splays (08d) received on 22 February 2018;
 - Expanded plans showing area affected by improved visibility (RHS) Sheets 1-6 (16e, 17b, 18d, 19b, 20a, 21b) received on 5 and 22 February 2018;
 - Expanded plans showing area affected by improved visibility (LHS) Sheet 1 of 5 (11c) received on 30 January 2018;
 - Expanded plans showing area affected by improved visibility (LHS) Sheets 2, 3 and 4 of 5 (12a, 13a, 14a) received on 11 April 2017;

- Expanded plans showing area affected by improved visibility (LHS) Sheet 5 of 5 (15b) received on 19 December 2017;
 - Existing and proposed site sections – North East and South West (22a) received on 22 February 2018;
 - Existing and proposed site sections – South East and North West (23a) received on 22 February 2018.
- 3 The development hereby approved shall only be occupied by the following and their resident dependents: Mr Adam Evans; Miss Leane Evans; Mr Clarence Charles John Evans and Ms Jean Clarke.
 - 4 When the land ceases to be occupied by those named in condition number 3 above, the use shall cease and all caravans, structures, materials and equipment brought onto or erected on the land, or works undertaken to it in connection with the use (with the exception of the hedge translocation works, planting proposals and new field entrance previously approved under planning application reference S/33962), shall be removed and the land shall be restored to its condition before the development took place within six calendar months of that date.
 - 5 The permission hereby granted is for a temporary period of four years from the date of this planning permission following which the use shall cease and all caravans, buildings, structures, materials and equipment brought on to, or erected on the land, or works undertaken to it in connection with the use (with the exception of the hedge translocation works, planting proposals and new field entrance previously approved under planning application reference S/33962) shall be removed, and the land restored to its condition before the development took place within six calendar months of this date.
 - 6 No more than two static and two mobile caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time.
 - 7 No commercial or business activities shall take place on the land, including the storage of materials, nor shall any vehicle over 3.5 tonnes be stationed, parked or stored on the site.
 - 8 Within two months of the date of this permission, a method statement for the proposed hedgerow translocation works required to accommodate the visibility splays required by condition 10, as shown on the overall visibility splays drawing (08d) received on 22 February 2018, shall be submitted for the written approval of the local planning authority, to include methodology, hedgerow aftercare and a detailed programme of works. The works shall be carried out in strict accordance with the approved details.
 - 9 Within two months of the date of this permission a scheme of landscaping of the development which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities; and implementation programme shall be submitted for the written approval of the local planning authority. The works shall be carried out in strict accordance with the approved details.

- 10 Any access gates shall be set back a minimum distance of 12.0 metres from the highway boundary, and shall open inwards into the site only.
- 11 A visibility splay of 2.4 metres by 160 metres shall be provided either side of the site access within 4 months of the date of this planning permission and shall be retained thereafter in perpetuity.
- 12 The parking spaces and layout shown on the plans herewith approved shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 13 The site access road shall be hard-surfaced for a minimum distance of 5.0 metres behind the nearside edge of highway. The hard surfacing shall be fully carried out within 4 months of the date of this planning permission and retained thereafter in perpetuity.
- 14 Within two months of the date of this permission, detailed elevational and floor plan drawings of the proposed day/utility room shall be submitted for the written approval of the local planning authority. The development shall be implemented in accordance with the approved details.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3 To restrict the occupancy of the site.
- 4-6 In the interests of visual amenity.
- 7 In the interests of visual amenity and safeguard the amenity of adjacent land users.
- 8+9 In the interest of visual amenity and to safeguard/retain existing landscape features.
- 10-13 In the interests of highway safety.
- 14 In the interest of visual amenities.

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).

Application No	S/36679
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Application Type	Reserved Matters
Proposal & Location	RESERVED MATTERS RELATING TO ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, TOGETHER WITH THE DISCHARGE OF CONDITIONS 7, 9 AND 11 ATTACHED TO PLANNING PERMISSION S/27346 AT LAND AT MAES Y BRYN, PENLLWYNGWYN ROAD, BRYN, LLANELLI, SA14 9RQ

Applicant(s)	BOWTREE LTD, HEOL PARC MAWR, CROSSHANDS BUSINESS PARK, CROSSHANDS, SA14 6RE
Agent	ASBRI PLANNING - RICHARD BOWEN, SUITE 4 J SHED, KINGS ROAD, SA1 SWANSEA WATERFRONT, SWANSEA, SA1 8PL
Case Officer	Paul Roberts
Ward	Llangennech
Date of validation	17/01/2018

CONSULTATIONS

Head of Transport and Engineering - Has raised no objection to the scale of the development proposed but has requested further information from the applicant regarding the level of visibility that can be achieved around the internal estate road and from a number of the plots within the development.

Head of Street Scene (Highway Adoptions) – Has raised no objection to the application.

Head of Waste and Environmental Services (Land Drainage) – Has confirmed his acceptance of the surface water drainage strategy proposed.

Head of Public Protection and Housing – Has raised no objection to the application subject to the imposition of a suitable conditions relating to noise and dust mitigation.

Llangennech Community Council – Has objected to the application on the following grounds:-

- The development is for social housing and the development is lacking in the basic requirements for such housing in that there are no nearby facilities such as local

shops or post office and the site has poor road access to Penllwyngwyn Road below a brow of a hill on a busy road.

- The entrance to the site is not conducive to any significant traffic without being widened/improved.
- The overdevelopment of the site and the consequent effect on the road system and other services given a major housing development has recently commenced at Pendderi Road.
- The villages of Llangennech/Bryn are becoming substantially overdeveloped with little changes to the roads or infrastructure.

Local Member – County Councillor Gary Jones has objected to the application on the basis that too many properties are being developed in Llangennech and the Bryn and putting a strain on local services such as schools, surgeries, sewerage and roads.

County Councillor Gwyneth Thomas objects to the application on the following grounds:-

- The village of Bryn has already been overdeveloped with the development of the large estate at Bryn Uchaf and additional 240 units now being built at Genwen Farm.
- A local needs assessment should be completed before further housing is permitted.
- The additional traffic from the development will add to existing traffic and congestion problems in the Bryn and Llangennech.
- Additional traffic in the Maes y Bryn estate will cause possible road safety issues as there is a sharp corner where Maes Y Bryn joins with Penllwyngwyn Farm Road.

Dwr Cymru Welsh Water – Has raised no objection to the foul and surface water drainage strategy proposed.

Natural Resources Wales - Has raised no objection to the application subject to compliance with condition no. 5 of the outline permission which requires the retention of the existing trees and hedgerows on the northern and eastern boundaries of the site.

Wales and West Utilities – Has raised no objection to the application.

Neighbours/Public - The application has been publicised with the posting of a number of site notices within the vicinity of the site and the publication of a notice in the local press. In response, a large number of letters of representation have been received from neighbouring residents who object to the application on the following grounds:-

- Disruption and damage to neighbouring properties – light pollution, disturbance and noise.
- The design of the proposed scheme bears no relation to the existing residential estate and is not therefore acceptable in visual amenity terms and local character.
- The outline permission granted related to 29 dwellings consisting of a mix of property types that would be in keeping with the current character and finish of Phases 1 and

2 of the Maes Y Bryn development. The increase in dwelling numbers to 34 represents a 17.2% increase in the number of dwellings with a consequential increase in traffic flows.

- The need for details of construction traffic numbers, timescales and management measures to safeguard existing resident's amenity.
- The need for a Construction Environmental Management Plan to manage the impacts of the development such noise mitigation, dust control, surface water run-off.
- Concerns regarding the additional volume of traffic and the safety impact particularly on the 'blind' turn into the Maes y Bryn estate where there are vehicles parked on the road.
- The semi-detached houses and flats proposed with their red facing brick finish and blue/black roof tiles will be completely different to the existing 4/5 bed detached houses and 2 bedroom bungalows.
- The amount of fencing and walling will make the development feel enclosed compared to existing properties in the estate.
- The development shows a split-level site layout with engineered retaining structures and bears no resemblance to the existing built development or natural environment.
- Lack of detail on the type of affordable housing proposed.
- If the proposal is to be publicly funded, confirmation is needed to confirm that funding exists to complete the development so as to avoid the amenity impacts of a partially completed development.
- The need for an updated ecological appraisal of the site.
- Reduction in existing property values.
- Danger to children playing in the estate road.
- Concerns regarding the type of occupants and problems of anti-social behaviour.
- Concerns regarding the capacity of local schools and health facilities.
- Lack of sewerage capacity.
- Impact upon the privacy of adjacent properties.
- The application should not have been accepted as a reserved matters application in that it bears no relationship to the original outline permission.
- Question the need for social housing in that affordable housing has and is to be provided on neighbouring large developments while there are also properties available to rent in a neighbouring estate.

- Lack of consultation with residents.
- Presence of mine shafts in the area.
- Concerns regarding surface water drainage.
- The noise impact to the occupiers of the development from the neighbouring farm.
- Disruption to existing wildlife.
- Amenity impact upon existing residents.
- Impact upon the main gas pipeline running through the site.
- Impact upon stability of existing properties.
- Lack of parking spaces for visitors.
- No need for additional houses given previous developments in the area.
- Loss of views for existing residents.
- Low water pressure.
- Lack of play area for children.

RELEVANT PLANNING HISTORY

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

S/36809	Deed of variation in respect of planning obligation attached to current extant outline planning permission S/27346 granted on 03/11/2015	Pending
S/27346	Variation of Condition no. 3 on application S/15323 to enable submission of reserved matters in a further period of time of 3 years Approval of Variation of Condition	03 November 2015
S/15323	Residential development Outline planning permission	10 July 2008
S/14372	7 Residential units consisting of 6 houses and 1 bungalow Full planning permission	10 July 2008
S/10984	To retain development (6 houses, 3 bungalows) as amended scheme to that previously granted planning	

	permission (S/08862) dated 15 December 2004 Full planning permission	2 November 2005
S/08862	Amendment of Condition no. 1 of planning permission S/01959 for an extension of five years to the time period for commencement of works for 9 residential units. Full planning permission	17 February 2005
S/01959	9 residential units consisting of 6 houses and 3 bungalows and associated road works Full planning permission	22 December 1999
D5/14915	Housing development - phase one Full planning permission	31 March 1994

APPRAISAL

This application is subject to a Section 106 Agreement.

THE SITE

The application site consist of an irregular shaped parcel of land located to the north of the Maes y Bryn estate on the eastern periphery of the Bryn in Llanelli. It covers an area of approximately 1.2 hectares that bounds the northern edge of the Maes y Bryn estate and the eastern side of the neighbouring Haulfryn estate. The site consists of agricultural improved grassland.

The site's southern boundary is defined by the side and rear boundaries of the existing properties of the Maes Y Bryn estate and the existing estate road terminates at its boundary. The levels of the site fall gradually towards its northern boundary which is defined by hedgerows and trees. There are also hedgerows and trees along the eastern boundary of the site with the farmstead of the neighbouring Penllwyngwyn Farm located beyond these. The site's western boundary is contiguous with the estate road and side and rear gardens of the neighbouring properties of the Haulfryn estate and is characterised by a mix of fencing and hedging. An existing gas pipeline traverses the western periphery of the site which runs in a north west – south east direction parallel to its western boundary.

Access to the site is via the Maes y Bryn estate which leads from Penllwyngwyn Farm Drive and the B4297 to the south east. The former is a relatively new estate consisting of a mix of detached houses and bungalows with its estate road having footways to either side and has been adopted by the Highway Authority. Penllwyngwyn Farm Drive is flanked by three detached properties and has been the subject of highway improvements as part of the Maes Y Bryn development with a footway being provided along its western edge which links with both those in the estate and along the B4297.

The Haulfryn estate to the west of the site is characterised by detached and semi-detached properties. There are areas of countryside to the north and east of the site with the latter

separating the Bryn from the village of Llangennech which is located some 500 metres to the east.

THE PROPOSAL

The application seeks approval of all the reserved matters for the proposed residential development granted outline planning permission under planning application reference S/27346 on 3 November 2015. It is noteworthy that this permission was renewal of a previous outline planning permission granted in July 2008 under application reference S/15323. All detailed matters were reserved under the permission granted whereby it relates to the principle of the residential development of the site and does not specify dwelling numbers. The current reserved matters application seeks approval of the proposed means of access, appearance, landscaping, layout and scale of the development.

The development will consist of 34 dwellings which will be made up of a mix of 20 two bedroom semi-detached houses, 8 one bedroom flats, 4 four bedroom semi-detached houses and 2 four bedroom detached houses. All the units are to be affordable and of a social rented tenure and will be operated by Bro Myrddin Housing Association. They will all be Development Quality Requirements (DQR) compliant which is the Welsh Government's standard that Registered Social Landlords' housing must meet.

The layout of the development seeks to maximise the development potential of the site while at the same time having regard for its sloping nature, DQR and highway gradient standards as well as the character of the surrounding area. The existing estate road is to be continued into the site before turning eastwards and eventually northwards down the slope to traverse the development. It will be constructed to an adoptable standard with a 5.5 metres wide carriageway and flanking footways. The new units are to be arranged around 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.

Cross sectional details show the development being set on two levels in order to achieve the development layout proposed and meet the relevant DQR and highway adoption standards. The latter require that the gradient of the estate road shall not exceed 1 in 12 while the Lifetime Homes Criteria of the DQR standards stipulate maximum gradients for the curtilages of new dwellings including those for parking bays, pathways, approaches to all dwelling entrances and usable garden areas. As a result, the development has had to be laid out across the contours with considerable cut and fill works. The units in the southern part of the site are set at existing levels comparable to those of adjacent existing properties with the cut and fill works taking place principally in the central and northern parts of the site. The change in levels in the central part has been sympathetically designed with the incorporation of both a landscaped bank and planted wooden crib retaining walls. Reinforced earth retaining walls are provided along the northern boundary of the site with their siting and design ensuring they will not unacceptably harm the adjacent trees and hedgerows that are to be retained as part of the development. These features will all be maintained by Bro Myrddin Housing Association as the registered social landlord for the development.

The units themselves will have traditional saddle roof designs with red facing brick elevations and roofs clad with blue/black tiles. The 8 bedroom flats will be provided in two separate detached units with each having two flats on both the ground and first floors. Moreover, their design is reflective of the appearance of the semi-detached houses. Boundary treatment measures will consist of a mix of rendered walling and timber fencing and the application

has been accompanied by a detailed landscaping scheme which provides for the retention of the existing landscape features along the site's perimeter as well as the implementation of new planting frameworks throughout the development. The layout of the development also ensures the provision of a 15 metre easement zone between the built development and the gas pipeline located to the site's western boundary.

In addition to the reserved matters aspect of the proposal, the application also includes details pursuant to the full or partial discharge of a number of specific conditions attached to the outline planning permission. These are condition no. 7 – scheme of parking; condition no. 9 – landscaping and condition no. 11 – finished floor levels.

The application has been accompanied by a drainage strategy for the development which sets out the means by which foul and surface water will be disposed of. The strategy confirms that ground conditions will not permit the use of soakaways as a suitable means of surface water disposal. As such, surface water is to be disposed of to an existing watercourse via new gravity sealed piped network within the development. The rate of discharge will be attenuated to a maximum of 5 litres per second via underground storage within the development the capacity of which will include a 30% allowance for climate change. The system is to be adopted by Welsh Water.

Foul water from the development will be again be collected by a gravity sealed piped system and discharge to an existing public foul sewer located immediately to the north of the site. This system will again be adopted by Welsh Water.

Community Benefits

The Section 106 Agreement completed in respect of the outline planning permission requires the provision of a series of community benefits as part of the development. These include the provision of 7 affordable units, a financial contribution towards the improvement of educational facilities in the relevant catchment schools, and a financial contribution towards the improvement of open space in the local area based upon a calculation of £1,363 per dwelling.

As mentioned above, all 34 of the units to be provided within the scheme will be affordable on a social rented tenure and operated by Bro Myrddin Housing Association as the registered social landlord.

The applicant has submitted a financial viability assessment in support of the scheme which seeks to demonstrate that the development cannot support the payment of the financial contributions referred to above given the construction costs associated with the development, and in particular the change in levels across the site and associated retaining walls and deep strip foundation works of the dwellings. The assessment concludes that the required payments would make the scheme unviable to deliver a 100% affordable housing scheme and provide a reasonable return for the developer of the site. On this basis, the applicant has submitted a separate application to modify the Section 106 agreement of the outline permission whereby it will secure a 100% proportion of affordable housing and forgo the contributions towards open space and education facilities. Application S/36809 refers.

PLANNING POLICY

Local Development Plan (LDP)

In the context of the Authority's current Development Plan the application site is located within the development limits of Llanelli and allocated for housing purposes under Policy H1 of the Plan. Housing allocation reference GA2/H49 refers. The allocation is identified as accommodating 46 dwellings under Policy H1.

Reference is drawn to the following policies of the Plan which are of relevance to the proposal.

In terms of the Plan's strategic policy context, 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 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 permits proposals within defined development limits subject to the policies and proposals of the plan, national policies and other material planning considerations.

Policy GP3 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. Allied to this, Policy AH1 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 10% viability area.

Policy GP4 states that proposals will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by the developer. Planning obligations and conditions will be used to ensure that new or improved facilities are provided to serve the new development.

Policy H1 allocates land for residential development for the plan period to 2021.

Policy TR2 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 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 EQ4 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 EP1 permits proposals where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters.

Policy EP2 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 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 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.

National Planning Policy

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.

PPW is supplemented by a continually updated series of Technical Advice Notes (TANs). The following TANs are relevant in the consideration of this application:

TAN 2 (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.

TAN 12 (Design) seeks to promote sustainability principles through good design and identifies how local planning authorities can facilitate this process through the planning system.

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.

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.

THIRD PARTY REPRESENTATIONS

The application has attracted a significant number of objections from local residents while the local members and community council have also raised concerns regarding the development. The issues raised are addressed in the following appraisal.

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 completed or are under construction in the surrounding area while others are of the perception that the access along Penllwyngwyn Farm Drive and the Maes y Bryn estate road is not suitable for a development of the scale proposed. The lack of parking within the development has also been raised as an issue of concern.

Matters relating to the adequacy of the wider road network to accommodate the development of the site were considered in detail as part of the previous outline applications where the Head of Transport raised no objection to the development. Having carefully assessed the current reserved matters application the Head of Transport has again raised no objection to the proposal from a highway capacity and safety perspective and is satisfied that the likely additional traffic can be safely accommodated on the local highway network including the access road leading from the B4297. He has also confirmed his acceptance of the level of parking provision included in the scheme while the Highway Adoptions officer has also accepted the layout and design of the new estate road proposed.

It is noteworthy that the Head of Transport has sought further information from the applicant regarding the level of visibility that can be achieved around the internal estate road and from a number of the plots within the development. The applicant has been requested to provide this information and the outcome of the Head of Transport's assessment of the same will be reported in the addendum to this report.

Subject to his acceptance of this additional information, the proposal is considered to be in compliance with Policies SP9, GP1, and TR3 of the LDP in terms of its highway impacts upon the surrounding area.

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 Bryn and Llangennech areas. A number question the need for additional housing or affordable housing in the area while others suggest that the outline permission granted relates to just 29 dwellings.

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 Growth area of Llanelli as defined in the LDP with its extensive range of services and facilities and sustainable transport routes.

As to the issue of dwelling numbers, the scale of the development (34 units) falls within the parameters of the allocation in the LDP where it is identified as accommodating 46 dwellings with the principle of the development having been reaffirmed with the granting of the outline permission. Whilst being of a higher density than the neighbouring Maes y Bryn estate which consists of larger detached properties, the general scale, design and spatial layout of the development with its mix of housing types and sizes is considered to be acceptable within

the context of the surrounding pattern of development. In this regard, it is in accord with the objectives of national planning policy which advocates that Local Authorities should ensure the most efficient use of land and a mix of housing types.

Suggestions that the outline planning permission permits just 29 dwellings on the site are misjudged in that all detailed matters were reserved for future consideration and there is no planning condition restricting the development to this number of units.

Turning to the issue of the need for additional affordable housing, information provided by the Authority's Housing Service confirms that the Authority currently have 527 applications (from individuals or families) on their housing choice register for rented accommodation in the Llangennech ward wherein the application site is located. The majority of these applications are seeking 1 and 2 bedroom homes, however, a number of families are also seeking 3, 4 and 5 bedroom properties. Furthermore, the information confirms that over the last three years an average of just some 27 rental properties were re-let each year whereby there is a significant shortfall in available affordable rented housing in the ward. Meeting this housing need is one of the strategic priorities of the Authority's Housing Service and as a result part of the Authority's Social Housing Grant from the Welsh Government has been allocated to the development with the intention of providing more affordable homes in the Llangennech area. In this regard, the proposal is in accordance with the objectives of AH1 of the LDP and TAN2 in that it will secure the provision of affordable housing within the local area.

Certain of the respondents have suggested that the differing levels of the development with its engineered retaining structures will bear no resemblance to the existing estate. Concerns have also been raised regarding the finishes of the houses relative to existing properties and the amount of fencing and walling proposed.

The significant change in ground levels across the site combined with the need for the estate road and new dwellings to meet the maximum gradient requirements of both the Highway Authority and the Welsh Government's DQR standards have required the applicant to undertake cut and fill works within the site that will result in differing levels within the development. Following discussions with officers, the change in levels has been designed in a sensitive manner with the inclusion of a landscaped bank and planted wooden crib retaining walls within the development as well as reinforced earth retaining walls along the northern boundary. Whilst there are also concrete rendered retaining walls and fencing within parts of the development, the engineered structures do not dominate or detract from the appearance of the development and the provision of soft landscaping proposals throughout the estate and retention of existing perimeter hedgerows will assist in creating an attractive residential estate that will complement the appearance of the surrounding area.

As to concerns regarding the finishes of the dwellings, the red brick elevations and blue/black roof tiles will not be at variance with the palette of similar finishes of the existing estate. Notwithstanding this, any permission granted will be conditioned to require the submission and approval of these finishes thereby ensuring there will be no unacceptable visual impact.

The proposal is therefore in accord with the objectives of policies GP2 and GP1 of the LDP in terms of its visual impact.

A number of respondents have questioned the surface water impacts of the development while others raise sewerage capacity concerns. Welsh Water have confirmed their

acceptance of the applicant's proposal to discharge foul water to the existing public sewer to the north of the site while the Authority's drainage engineers have no objection to the attenuated discharge of surface water to an existing watercourse on the northern perimeter of the site. 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 occupiers and landowners.

It is of note that the submission of the detailed designs of the foul and surface water schemes are conditional requirements of the outline planning permission (condition nos. 6 and 10 respectively) and the applicant will need to submit these details pursuant to the discharge of both conditions and receive the Authority's formal acceptance of the same prior to commencing any of the development.

The proposal is therefore considered to be in accord with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner without causing unacceptable harm to neighbouring properties or the wider water environment.

Turning to the respondents' concerns regarding the ecological impacts of the development. The Authority's Planning Ecologist and Natural Resources Wales have both raised no objection to the development in this regard subject to the retention and protection of the existing trees and hedgerows along the northern and eastern boundaries of the site. Whilst the development layout has been designed to safeguard against any unacceptable harm to these features, condition no. 5 of the outline permission requires the submission and approval of a tree protection plan to safeguard them during the course of the development. The applicant will again need to submit these details pursuant to the discharge of the condition and receive the Authority's approval of the details prior to commencing any of the development.

The proposal is therefore considered to be in accord with the ecological objectives of Policy EQ4 of the LDP.

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 will be such that any overlooking would not be intrusive or unacceptably harmful to existing amenity levels. Similarly, the layout will not cause any unacceptable impacts by way of loss of light and overshadowing.

It is not envisaged that the scale of development proposed will result in any adverse impacts in terms of traffic noise and disturbance and it is of note that the Head of Public Protection has raised no objection to the development from a residential amenity perspective. Any permission granted will be conditioned to require the submission of a construction method statement 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 development therefore accords with policies SP1, GP1, and TR3 in terms of its impact upon the surrounding area.

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 Llanelli 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 Llanelli area including doctor's surgeries and hospital facilities will be adversely affected by a development of the scale proposed.

As to concerns that there is no park in the development, there is an existing park adjacent to the neighbouring Haulfryn estate which has been the subject of significant investment and improvement by the Authority in the last few years. This is within a short walking distance of the application site whereby it will be easily accessible to the occupiers of the development.

Concerns regarding the impact upon water supply in the area are unfounded in that Welsh Water have raised no concerns in this regard. Similarly, Wales and West Utilities have raised no objection in respect of the impact of the development upon the existing gas pipeline within the site given the provision of a 15 metre easement zone to the proposed built structures in the scheme.

The site is not located within a high risk development area as defined by the Coal Authority whereby there are no known mine shafts within the site. Furthermore, it is not envisaged that the location of the neighbouring farm adjacent to the development and beyond the existing boundary trees and hedgerows will cause any unacceptable amenity impacts to the occupiers.

Objections to the type of occupants and potential anti-social behaviour in the development are outside the scope of planning control. Similarly, matters relating to the loss of existing views, a reduction in existing property prices and damage to properties are not material in the consideration of the application.

The respondents' suggestion that the application should not have been accepted by the Authority are misjudged in that the development falls within the parameters of the outline permission granted. Furthermore, the application has been publicised in accordance with the relevant statutory requirements.

CONCLUSION

The application seeks reserved matters approval in accordance with the provisions of the outline planning permission granted under application S/27346. It forms part of a multi stage process in securing detailed planning permission, with the principle of the residential development of the site having already been established.

After careful examination of the site, together with the representations received to date, the detailed proposals submitted in respect of the reserved matters of the development are considered to be acceptable and in compliance with the key policy and sustainability objectives of the Authority's adopted LDP as well as those of National Planning Policy. Furthermore, the details submitted pursuant to the full and partial discharge of condition nos. 7, 9 and 11 of the outline permission are also considered to be acceptable within this policy context.

The general scale, design and layout of the scheme will be in keeping with the character and appearance of the surrounding area and the development will provide a range and choice of affordable housing that will be well related to the existing services and facilities in the wider Llanelli area. Moreover, they will have access to a range of sustainable modes of transport and the development will make a valuable contribution towards the Authority's strategic priority of meeting the significant shortfall of affordable homes in the surrounding area.

The provision of 34 affordable dwellings in the local area must be balanced against the requirements of the Section 106 agreement of the outline permission to also provide contributions towards education and open space in the local area. Following consideration of the financial viability assessment submitted in support of the development, officers are satisfied that given the significant construction costs associated with the development of the site, the payment of these additional contributions would make it unviable to deliver a housing scheme that will provide a 100% proportion of affordable housing. Moreover, in terms to the need for these additional financial contributions, members will have noted from the above appraisal that the catchment schools currently have adequate surplus space to accommodate the development and the existing play area close to the site has recently been the subject of significant investment and improvement. It is therefore considered reasonable to modify the planning obligations contained in the Section 106 agreement of the outline permission to secure a 100% proportion of affordable housing within the development and forgo the financial contributions towards education and open space facilities.

In addition to the above, the proposal satisfies the sustainability requirements of the LDP from an environmental quality and utility provision perspective by implementing a drainage strategy that will dispose of foul and surface water in a sustainable and controlled manner. Furthermore, and as outlined in the appraisal above, there are no highway, amenity, ecological or utility service objections to the development

Accordingly, the application is put forward with a favourable recommendation subject to the following:-

- 1 The Head of Transport confirming his acceptance of the additional details relating to highway visibility within the development; and
- 2 The modification of the Section 106 agreement of outline planning permission S/27346 securing a 100% proportion of affordable housing in the development and the omission of the requirement for a contribution towards the improvement of open space and education facilities, as sought under application S/36809.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development shall begin either before the expiration of five years from the date of the outline permission to which this development relates or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

- 2 The development shall be carried out in accordance with the following approved plans and documents:-
- Site survey (01) received on 20 December 2017;
 - Proposed drawings Type B – 2 person 1 bed flat individual entry – Elevations Plan (B003 REVA) received on 20 December 2017;
 - Proposed drawings Type B – 2 person 1 bed flat individual entry – First floor layout plan (B002 REV A) received on 20 December 2017;
 - Proposed drawings Type B – 2 person 1 bed flat individual entry – Ground floor layout plan (B001 REV A) received on 20 December 2017;
 - Proposed Drawings Type C – 7 person 4 bed house – Elevations plan (C003 – REV A) received on 20 December 2017;
 - Proposed Drawings Type C – 7 person 4 bed house – First floor layout plan (C002 – REV A) received on 20 December 2017;
 - Proposed Drawings Type C – 7 person 4 bed house – Ground floor layout plan (C001 – REV A) received on 20 December 2017;
 - Proposed Drawings Type A – 4 person 2 bed house – Elevations plan (A003 – REV A) received on 20 December 2017;
 - Proposed Drawings Type A – 4 person 2 bed house – First floor layout plan (A002 – REV A) received on 20 December 2017;
 - Proposed Drawings Type A – 4 person 2 bed house – Ground floor plan First floor layout plan (A001 – REV A) received on 20 December 2017;
 - Site location plan (32A) received on 16 January 2018;
 - Boundary details (07 Rev A) received on 21 February 2018;
 - Proposed site layout (02 Rev R) received on 21 February 2018;
 - Site sections Proposed – 1 of 2 (03 Rev B) received on 21 February 2018;
 - Site sections Proposed – 2 of 2 (04 Rev B) received on 21 February 2018;
 - Landscape Scheme (05 Rev C) received on 21 February 2018;
 - Drainage Strategy Report (19743 – v01) received on 23 January 2018.
- 3 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the details shown prior to the beneficial occupation of the dwellings. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.
- 4 The detailed landscaping design scheme shown on the Landscape Scheme drawing (05 Rev C) received on 21 February 2018 shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5 No development shall commence until details of the design of the crib lock retaining walls shown on the proposed site layout (02 Rev R) received on 21st February 2018 have been submitted to and approved in writing by the local planning authority. These shall include details of the structural design, precise height and finish of the walls together with a scheme soft landscape works within the walling which shall include planting plans; written specifications (including cultivation and other operations associated with plant establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities. The walls shall be provided in accordance

with the approved details prior to the occupation of the dwellings and the landscape works therein shall be carried out in the first planting season following the occupation of the dwellings or completion of the development, whichever is the sooner.

6 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 include 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;
- loading and unloading of plant and materials;
- wheel washing facilities;
- measures to manage noise and the emission of dust and dirt during demolition and construction.

7 No development shall commence until details and/or samples of the materials to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

8 Prior to the occupation of the dwellings hereby approved the required access roads and footpaths leading from the existing public highway to the respective units shall

be laid out and constructed in accordance with the details shown on the drawings hereby approved.

- 9 No construction or demolition works shall take place other than within the hours of **08:00 – 18:00** Monday – Friday, Saturday **08:30 – 14:00** and not at all on Sundays, Bank or Public Holidays.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3+8 In the interests of highway safety.
- 4,5+7 In the interests of visual amenity.
- 6 In the interests of safeguarding residential amenity and safeguard against unacceptable harm to the surrounding environs.
- 9 In the interests of safeguarding residential amenity.

NOTE(S)

- 1 The applicant/developers attention is drawn to the conditional requirements of the outline planning permission (S/27346) to which this development relates. The following conditions of the outline planning permission are hereby fully/partially discharged:-

Condition no. 7 – Scheme of parking within the curtilage of the site - **PARTIALLY DISCHARGED** insofar as the pre-commencement elements of the condition has been satisfied.

This discharge of condition relates to the following schedule of plans:

- Proposed site layout (02 Rev R) received on 21 February 2018.

Condition no. 9 – Scheme of landscaping – **PARTIALLY DISCHARGED** insofar as the pre-commencement elements of the condition have been satisfied.

This discharge of condition relates to the following schedule of plans and documents:

- Landscape Scheme (05 Rev C) received on 21 February 2018.

Condition no. 11 – Finished Levels – **PARTIALLY DISCHARGED** insofar as the pre-commencement elements of the condition have been satisfied.

This discharge of condition relates to the following schedule of plans:

- Proposed site layout (02 Rev R) received on 21 February 2018;
- Site sections Proposed – 1 of 2 (03 Rev B) received on 21 February 2018;

- Site sections Proposed – 2 of 2 (04 Rev B) received on 21 February 2018.
- 2 The applicant/developer is advised that the outline application (S/27346) relating to this development is the subject of a Section 106 Agreement.
 - 3 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.
 - 4 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.

Application No	S/36707
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF 29 NO AFFORDABLE HOUSING RESIDENTIAL UNITS WITH ASSOCIATED ACCESS, LANDSCAPING AND INFRASTRUCTURE WORKS AT LAND OFF FRONDEG TERRACE, LLANELLI, SA15 1QB

Applicant(s)	JEHU GROUP AND POBL GROUP, C/O AGENT,
Agent	ASBRI PLANNING LTD - MR RICHARD BOWEN, SUITE 4, J SHED, KINGS ROAD, SWANSEA, SA1 8PL
Case Officer	Richard Jones
Ward	Bigyn
Date of validation	24/01/2018

CONSULTATIONS

Head of Transport – No response received to date. Notwithstanding this, the site benefits from an extant planning permission which has approved (subject to a S.278 Agreement) the principle of a new light controlled junction on Frondeg Terrace.

Head of Education – Has indicated that a financial contribution of £45,000 towards local primary and secondary school education provision is required. The applicant has indicated that information will be submitted to prove that the contribution is unviable on the basis of the project costs. This report has yet to be submitted and assessed and any decision will be pending this assessment.

Head of Leisure – No response has been received to date.

Land Drainage Officer – The Section has responded requesting more clarification from the applicant regarding the supporting calculation for the attenuation system are required in addition to details trial pits and soakaway tests. Additional information has been submitted by the Applicant to address the Land Drainage Section's comments. No formal response has been submitted to date.

Llanelli Town Council – Has responded with the following comments:-

- That the proposed site access junction layout is unacceptable and would have a detrimental impact on the public highway, particularly at rush hour due to three nearby schools.

- The current layout would land-lock two plots of land, thereby restricting potential future development.

Local Members - County Councillor J Edmunds and County Councillor E Morgan have not responded to date.

Natural Resources Wales - There are no adverse comments in respect of the impact upon habitat and biodiversity subject to standard advice notes.

The applicant has been advised to produce a pollution method statement in advance of the construction phase of the project. This can be secured via planning condition.

To accord with the terms and content of the MOU, foul connections should only be allowed when compensatory surface water removal or suitable improvement scheme has been implemented within the same catchment. The relevant details must then be recorded on your Authority's register of compensatory surface water disposal.

With regard to surface water disposal, it is imperative that no surface water is allowed to enter the sewerage infrastructure. This is to avoid hydraulic overloading of the sewerage system. Ultimately the surface water drainage system design is a matter for the Local Authority's Drainage Engineers.

Dwr Cymru/Welsh Water – Have responded and indicated that insufficient details have been provided.

Dyfed Archaeological Trust – Given the presence of a Scheduled Ancient Monument (SAM) on site an archaeological watching brief condition is requested.

CADW (Welsh Government) – A scheduled Ancient Monument is located in the northern half of the site adjacent to the southern boundaries of Capel Isaf and The Barn. Cadw do not object to the development subject to the scheduled monument being appropriately protected and enhanced. No information has been submitted about the landscaping plan for the garden area on the location of the SAM and that accidental damage to the scheduled monument could occur during construction works. However, our concerns could be mitigated by conditions to any approval of planning permission.

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. Two letters have been submitted from the occupier of No.1 Capel Isaf Road, who is also an adjacent owner of land that forms part of a wider housing allocation of which this site forms part. His concerns are summarised below:

- Object on the ground of severe flooding in the marsh at the bottom of the application site.
- The development of a full drainage system to mitigate flooding is required.

RELEVANT PLANNING HISTORY

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

S/33009 Proposed removal of Fifth Schedule of the S106

	Agreement S/22733 (provision of both on-site and off-site financial contributions)	Pending
S/22733	Residential development of 24 units Full planning permission S106 Signed - Affordable Housing/Education/ Open Space Play	08 December 2014
S/18821	Residential development of 24 units Full planning refused	28 April 2009
S/15297	Proposed residential development Non Determination - finally disposed of	16 July 2008
S/08539	Proposed 2 no. semi-detached bungalows Withdrawn	09 December 2004
S/02738	Proposed residential development (Renewal of outline planning permission ref: S/00773) Outline planning permission	23 November 2000
S/00773	Proposed residential development (Outline) Outline planning permission	04 December 1997
S/00564	Outline planning permission for domestic dwelling Outline planning refused	09 April 1997
S/00678	Domestic dwelling (Outline) Outline planning permission	31 July 1997
S/01070	Proposed 2 no. detached bungalows Approval of Reserved Matters	05 March 1998
D5/17362	Conversion of barn and erection of dwelling on Plot A Outline planning refused	15 February 1996
D5/14473	Proposed 3 bedroom detached house Full planning permission	09 March 1992
D5/14252	6 no. houses (Outline) Outline planning permission	09 December 1991
D5/14772	Domestic garage Full planning refusal	04 June 1992
D5/11683	2 no. dwelling houses (Outline) Outline planning permission	17 July 1989
D5/10995	Proposed 4 bedroom detached dwelling Full planning permission	24 October 1988

D5/10033	Construction of 1 no. dwelling house and garage Outline planning permission	14 September 1987
D5/9999	One residential unit (Deemed Consent Outline) Deemed Consent - Outline	08 October 1987
D5/9698	Construction of one detached bungalow (Outline) Outline planning refused	02 April 1987
D5/6563	1 no. residential unit (Deemed Consent) Deemed Consent – Outline Approved	21 December 1982
D5/5422	Residential (Outline) Outline planning refused	12 March 1981

APPRAISAL

THE SITE

The application site consists of a relatively overgrown parcel of land located to the immediate south of Frondeg Terrace in Llanelli. The site is bordered by residential properties along Capel Terrace to the west, Capel Isaf Road to the north east, whilst Ridgewood Park is located further to the south east. The main A484 is located to the south of the site beyond an area of wetland and a public footpath. The site slopes downwards in a southerly direction from Frondeg Terrace in the north, towards the A484 in the south.

The application site forms part of a larger site which is allocated for housing within the Adopted Carmarthenshire Local Development Plan (LDP). Full planning permission for 24 dwelling units was approved at this site in December 2014 and is subject to a S.106 legal agreement that commits to commuted financial sums to open space and education, whilst also accommodating an element of affordable housing on the site. This permission is still live.

THE PROPOSAL

Full planning permission is sought for the construction of 29 dwelling houses on the site with the associated infrastructure. The application form for the proposal indicates that all the dwellings will be for social rented housing.

Four of the 29 dwelling will be constructed facing onto Frondeg Terrace and arranged as two pairs of semi-detached dwellings that will infill the existing gap in the street. A new access will be created off Frondeg Terrace to the immediate east of the semi-detached units facing the main road and will continue into the main body of the site forming a central spine road whereby dwellings will be sited either side. The applicant's agent has confirmed that the intention is to adopt the estate road. Furthermore a new traffic signal junction will be required at the site entrance and further signal arms controlling traffic from the north, east and west. This will need to be formally approved through a S.278 application.

The units will be grouped into semi-detached and links of three dwellings. All will be two storey in scale save for the pair of semi-detached bungalows at Plots 25-26. A range of 1 bedroom flats, bungalows and 2 and 4 bedroom houses will be provided with all served by parking and having a private or communal amenity space.

The rear garden amenity areas are to be grassed, whilst the private driveways are to be finished with block pavements. The private amenity areas associated with the dwellings will be separated by a combination of 1.8m high screen stone walls and timber fencing of the same height. Landscaping is shown to the front of some of the dwellings however little detail is submitted at this stage regarding the species mix, location and number of specimens to be planted.

To the rear (south) of the dwellings that will front onto Frondeg Terrace and to the west of the link of 3 units at Plots 27-29 will be an area of open space dedicated to the end users of the scheme. This area is designated as a Scheduled Ancient Monument on account of a former medieval chapel and cemetery at the location. Due to its archaeological significance, it was decided that this area should remain free from development under the terms of the extant permission, hence the current proposal to retain it as an informal open space in the form of a landscaped garden.

The following supporting information has been submitted with the application:-

- Location Plan;
- Site Plan;
- House Types;
- Engineering Strategy Plan;
- Drainage Strategy Note;
- Design and Access Report;
- Reptile Method Statement;
- Ecological Report;
- Arboricultural Report;
- Pre-Application Consultation Report.

PLANNING POLICY

The site lies within the defined development limits of the area as delineated in the Adopted Carmarthenshire Local Development Plan December 2014 (LDP) and is identified as a residential allocation.

In respect of the application's policy context reference is drawn to the following policies:-

Local Planning Policies

Local Development Plan (LDP)

In the context of the Authority's current Development Plan the application site is located within the development limits of Llanelli and allocated for housing purposes under Policy H1 of the Plan.

Reference is drawn to the following policies of the Plan which are considered relevant in this instance.

In terms of the Plan's strategic policy context, 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 SP13 states that development proposals should preserve and enhance the built and historic environment of the county and where they affect for example Schedule Ancient Monuments, national guidance and legislation will need to be considered.

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 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 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 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. Allied to this, Policy AH1 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 GP4 states that proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by the developer. Planning obligations and conditions will be used to ensure that new or improved facilities are provided to serve the new development.

Policy TR2 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 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 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 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.

Similarly, Policy EP1 requires that proposals 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. 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 and Welsh Water's commitment to undertake improvements in waste water treatment capacities, treatment levels and discharge quality through their AMP programmes.

Policy EP2 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 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 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.

National Planning Policy

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.

PPW is supplemented by a continually updated series of Technical Advice Notes (TANs). The following TANs are relevant in 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.

TAN12 (Design) seeks to promote sustainability principles through good design and identifies how local planning authorities can facilitate this process through the planning system.

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.

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.

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. Having assessed the procedures taken to comply with the pre-application guidelines it is considered the applicant has met its duty in this regard. An EIA screening opinion was issued when the application was previously assessed under S/22733, however, due to recent changes to the thresholds for the carrying out of screening opinions in the revised 2016 EIA Regulations, one is not required now.

Design, Layout and Access

The design and layout of the estate comprises a central estate road with houses emanating off it and grouped in pairs and links of three. The dwellings will either be facing or perpendicular to the spine road.

The dwellings maintain adequate space from one another to ensure no significant harm in terms of privacy or physical overbearing impacts. Furthermore the existing dwellings which have boundaries abutting or close to the application site will maintain adequate separation distance so that amenity levels are not significantly harmed. Each unit will have adequate amenity space commensurate to the size of the residential. Access into the plot curtilages will be maintained off the central spine road. Parking will be allocated for each dwelling and either be located on a front forecourt, to the side of the dwelling or in a communal parking courtyard.

The detailed design and scale of the dwellings respect the character and appearance of the surrounding area and each incorporates a pitch use, equally proportioned windows and canopies/porches. External finishes will comprise render and brickwork which is in keeping with the existing palette of materials used in the surrounding area.

Highways

The Head of Highways has not responded to date, however, the extant permission raised no objection to the construction of 24 units with a similar access arrangement and also raised no objection in principle to the provision of a new signal control junction at the head of the estate road. This is also proposed for the current proposal and will be subject to a S.278 agreement. Notwithstanding this, approval of the application is subject to a favourable response from the Head of Transport.

Foul and Surface Water Drainage

The applicant has submitted a Drainage Strategy Note which outlines proposals to dispose of foul and surface water effectively from the site.

Firstly with regard to surface water, the report states that flood mapping information provided by Natural Resources Wales (NRW) confirms that the site is at low risk from fluvial or surface water flooding. There is no formal surface water drainage in the site and it is understood that all surface water runoff discharges via overland flow to the southern site boundary onto adjacent boggy land. The Engineering strategy drawing submitted shows that surface water flows will collect in below ground attenuation storage with flows ultimately discharging to the rear of the site as per green field rates. The volume of water to be attenuated will also include additional surface water discharges currently draining into the combined sewer on Frondeg Terrace as part of the wider betterment proposals that will allow the foul water discharges into the sewer. These proposals as discussed in more detail below. As for the maintenance of the system the strategy refers to a management company being responsible for managing / maintaining all elements of non-adoptable SuDS on site, including the cellular storage tanks and orifice chambers.

Discussions have taken place internally with the Council's Land Drainage Section regarding the acceptability of the proposed surface water drainage strategy and whilst no objection has been raised in principle, further information has been requested from the applicant as to how they came to their conclusions.

With regard to foul drainage, the developer proposes that a new foul sewer network will be provided through the site and all foul water flows will outfall to the existing 225mm Combined Sewer crossing the Site, via a new manhole connection. A proposition of the dwellings downhill of the mains sewer will require an onsite pumping station to transport the foul water into the sewer crossing the site. The existing foul sewer is located to the immediate north of Plots 25 and 26. The submitted Engineering drawing shows that a 3m easement will be provided separating the dwellings from the sewer. The applicant confirms that all new sewers and the Foul Pumping Station will be designed and constructed to an adoptable standard and are proposed to be adopted and maintained by Welsh Water, under a Section 104 Agreement.

A Memorandum of Understanding is in place between the Council, neighbouring authority, Natural Resources Wales and Welsh Water for the water catchment draining into 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 allow capacity of other works to improve the infrastructure. There is also the requirement of betterment.

In order to satisfy the memorandum of understanding the applicant will need to remove 261m² of surface water discharges from the existing combined sewer to free up the necessary capacity for the proposed 29 units to drain their foul water. The applicant's amended Engineering Strategy shows an area on the public highway to the north of the site where the traffic signal works are required where it is proposed to remove surface water discharged into the combined sewer and divert into the proposed surface water attenuation scheme within the site.

Welsh Water have been consulted on the acceptability of these details, however, have not responded to date. On this basis approval is subject to a favourable response from them. In the event that no objection is raised a planning condition will be imposed requiring the developer to complete the betterment proposals prior to the beneficial occupation of the dwellings.

Built Environment/Cultural Heritage

As referred to in preceding sections of this report, a former chapel and burial site is located in the northern half of the site. It is currently overgrown and shows little evidence of this former use. Notwithstanding this, the site is of historic importance and is designated as a scheduled ancient monument. As was the case with the extant permission, the intention is to create a landscape garden. Details of this will need to be submitted as part of a planning condition and the method of clearance and planting will have to be sensitively controlled.

Both Cadw and Dyfed Archaeological Trust (DAT) have raised no adverse comments with regard to the creation of the landscape garden at the location of the SAM subject to conditions requiring more detail on the creation of the landscape garden and an archaeological watching brief during the course of works.

Ecology

The applicant has submitted an Ecological Report, Reptile Method Statement and Arboricultural Report. The ecological report does not provide a detailed site survey as it was carried out at a sub-optimal time of year. Nevertheless, it concludes that the site is of low botanical interest. Hedgerows and trees along the site boundaries will be maintained following the construction of the proposed dwellings so as to maintain a network of habitat and biodiversity corridors.

The reptile report sets out means in which to mitigate the loss of the slowworm population on site. A method for dealing with this species is also suggested for when the site is cleared/developed.

NRW have raised no adverse comments from a biodiversity perspective, however, the Council's Planning Ecologist has not responded to date. A determination will be issued pending a response.

The arboricultural report concludes that the site can be developed without any loss of trees/hedges of any significant value. No response has been received to date from the Council's Arboricultural officer. Notwithstanding this in the event that the scheme is approved, a tree protection strategy will be a condition of approval.

Community Contributions

The applicant has been notified that a financial contribution towards local education provision will be required. The applicant has indicated that it will not be viable to make this contribution. On this basis the case officer has requested that they justify this ground by providing a viability report that details development costs. This has not been forthcoming to date and a decision will be pending subject to the assessment of this document.

The Council's Parks Officer has not responded to date, although it is noted that an area of informal open space will be provided to the northern half of the site.

An onsite contribution towards affordable housing is not required in this case as all the proposed dwellings are all earmarked for affordable housing. 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.

THIRD PARTY REPRESENTATIONS

The occupier of 1 Capel Isaf Road has raised concerns with regard to the surface water drainage of the existing site, indicating the boggy nature of the land to the southern half, thus intimating the site's ability to drain surface water effectively. In response to this concern and as referred to above, a surface water attenuation scheme is proposed and the applicant confirms that surface water can be disposed of offsite through Greenfield rates. Notwithstanding this, the response from the Land Drainage Section is still pending and the approval of the scheme is subject to their raising no objection. In the event of this a surface water management condition will be requested whereby the developer will need to provide a more detailed design of the attenuation scheme for CCC approval.

In response to the Town Council's concerns regarding the new junction arrangement, the full design of the proposed junction works will need to be approved through a S.278 agreement. No formal response has been received from the Head of Transport to date, however, no objection was raised by the Head of Transport from a highway safety perspective regarding the extant approval at the site which approved the principle of a signal controlled junction on Frondeg Terrace (ref S/22733 refers).

With regard to the Town Council's concerns about land locking adjoining land and restricting future development, the submitted estate layout shows that there are opportunities to create vehicular egresses into the adjoining portions of the residential housing allocation, therefore it is not considered that there are significant restrictions in place.

CONCLUSION

The application site is located within the defined settlement limits of Llanelli and is also allocated for residential use within the Adopted LPD. In light of this, and in addition to the fact the site currently benefits from an extant planning permission for residential development (24 dwellings), it is considered that there is no in-principle objection to developing the site for residential use.

On balance therefore, after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date, it is considered that the proposal accords with the aforementioned policies and is therefore put forward with a favourable recommendation subject to the imposition of the following conditions and favourable responses from Welsh Water and the Council's Highways, Conservation and Land Drainage officers and the submission of an acceptable justification to prove that S.106 contributions are not required, approval is recommended.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-

- Location Plan [100/01/ 1:1250 @A4 received 13th January 2018;
- Site Plan [101/01] 1:100 @A3 received 13th January 2018;
- House Type: 1 Bed – Elevations [102/02] 1:100 @A3 received 13th January 2018;
- House Type: 1 Bed – Floor Plans [102/01] 1:100 @A3 received 13th January 2018;
- House Type: 2 Bed – Floor Plans [103/01] 1:100 @A3 received 13th January 2018;
- House Type: 2 Bed – Elevations [103/02] 1:100 @A3 received 13th January 2018;
- House Type: 4 Bed – Floor Plans [104/01] 1:100 @A3 received 13th January 2018;
- House Type: 1 Bed – Elevations [104/02] 1:100 @A3 received 13th January 2018;
- House Typ2: 2 Bed Semi-Detached – Elevations and Floor Plan [105/01] 1:100 @A3 received 13th January 2018;
- Arboricultural Report received 13th January 2018;
- Design and Access Statement received 13th January 2018;
- Reptile Method Statement received 13th January 2018;
- Ecological Report received 13th January 2018;
- Pre-Application Consultation Report received 13th January 2018;
- Existing and Proposed Site Plan 1:200 @ A2 [746-03 Rev A] received 20th February 2018;
- Proposed Site Sections 1:200, 1:500 @A1 [2235/630 Rev A] received 20th February 2018;
- Drainage Strategy Note [Rev A] December 2017 received 20th February 2018;
- House Type: 4 Bed – Elevations [104/02] received 21st February 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 Prior to the beneficial occupation of the dwellings hereby approved, all the required boundary walls and fences to serve those respective dwellings shall be fully constructed strictly in accordance with the plan referenced 2235/101/01 received on the 13th January 2018.
- 5 Prior to the commencement of the development full details of the proposed traffic signal scheme at the Frondeg Terrace/Capel Road/site access junctions, as shown in the Design and Access Statement received 13th January 2018 shall be submitted for the written approval of the local highway authority. The agreed signal scheme shall be fully operational prior to any use of the development, herewith approved.
- 6 The parking spaces and layout shown on the site layout plan (ref 746-03 Rev A) herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.
- 7 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.

- 8 No development approved by this permission shall be commenced until a detailed scheme and programme for the provision and implementation of surface water drainage works has been submitted to and approved by the local planning authority. Such a scheme shall include a management plan of surface water drainage during the construction phase of the development and shall be implemented in accordance with the approved details and programme of implementation.
- 9 All boundary trees within and adjoining the development area should be protected for the duration of any future work following the guidelines in BS5837 (Trees in relation to construction). They should be fenced off to the outermost limit of their branches and no materials or equipment stored or dumped inside the fence.
- 10 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 11 No development shall commence until the cordon-sanitaire 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.
- 12 No development shall commence until details of the foul drainage scheme proposed to serve the development which shall include improvements to the public sewerage

system have been 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 dwellings hereby approved.

- 13 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.
- 14 Prior to the commencement of the development hereby approved, an Ecological Management Plan incorporating an Ecological Construction Method Statement and detailing the protective and enhancement measures set out in the Ecological Report prepared by David Rees, Pobl Group on 11th January 2018 shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved Plan.
- 15 A detailed landscaping scheme for the whole site including the retention of any existing landscape features and the indication of species, size and number of trees and/or shrubs to be planted shall be submitted to and specifically approved in writing by the local planning authority prior to the commencement of the development and shall, following approval of such a scheme, be implemented in the first planting season following commencement of the development or at such other time as may be specifically approved in writing by the local planning authority.
- 16 No development, or site clearance, shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping designed to protect and enhance scheduled monument CM387.
- 17 The boundaries of scheduled monument CM387 shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected outside of the scheduled monument in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within the fenced area, and the ground levels within the area shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.
18. 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.

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+4 In the interest of visual and residential amenity.
- 5+6 In the interest of highway safety.
- 7 To prevent pollution of the environment.
- 8 To ensure a satisfactory means of surface water disposal and to prevent localised flooding
- 9 In the interests of biodiversity and general site amenity.
- 10 In the interests of the historic environment.
- 11 To protect the integrity of the mains sewer crossing the site.
- 12+13 In order to reduce the risk of pollution to controlled waters and to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
- 14 To retain and protect features of landscape and biodiversity value.
- 15 In the interests of visual and general amenity.
- 16 To ensure the long term protection and enhancement of the scheduled monument.
- 17 To protect the scheduled monument from accidental damage during the construction works.
- 18 To secure affordable housing need for the locality.

ADDITIONAL ITEM FOR DECISION

Application No	S/35645
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Application Type	Full Planning
Proposal & Location	RESIDENTIAL DWELLING AND GARAGE AT LAND OFF HAFOD ROAD, TYCROES, AMMANFORD, SA18 3GA

Applicant(s)	MRS BEVERLEY WILLIAMS, 1A PARC PENCAE, LLANDYBIE, AMMANFORD, SA18 3AZ
Agent	,
Case Officer	John Thomas
Ward	Tycroes
Date of validation	08/06/2017

APPRAISAL

The application was reported to Planning Committee on the 8th February 2018, whereupon the Committee resolved to refuse planning permission. The reasons for refusal were defined by Members and are set out below for ratification:-

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy AH1 “Affordable Housing” of the Carmarthenshire Local Development Plan:-

Policy AH1 Affordable Housing

A contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub-market areas.

Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

On Site Contributions

The affordable housing will be required to be provided on proposals of 5 or more dwellings in all settlements. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the above threshold, the Council will seek an element of affordable housing based on the affordable housing target percentages set out above.

Proposals will be required to ensure that the dwelling remains affordable for all subsequent occupants in perpetuity.

Commuted Sums

Where an open market residential site falls below the above thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq.m.).

In that:

- (i) the applicant has declined to pay the required financial contribution towards providing affordable housing, which is applicable for residential sites of less than 5 units;
- (ii) the proposed development, given the submitted scheme and associated viability statement, renders the development unviable through the applicant's choice to pursue a scheme where the costs of the development far exceeds the estimated market value of the property.

- 2 The proposal is contrary to Carmarthenshire County Council adopted Supplementary Planning Guidance - "Affordable Housing" (December 2014):

Paragraph 3.3

Commuted Sums

Where an open market residential site falls below the above thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq.m.).

In that:

- (i) the applicant has declined to pay the required financial contribution towards providing affordable housing, which is applicable for residential sites of less than 5 units;

- (ii) the proposed development, given the submitted scheme and associated viability statement, renders the development unviable through the applicant's choice to pursue a scheme where the costs of the development far exceeds the estimated market value of the property.

3 The proposal is contrary to Carmarthenshire County Council adopted Supplementary Planning Guidance - "Affordable Housing" (December 2014):

Information required for developer viability appraisals

4.4 Where a developer believes that delivering the level of affordable housing stipulated in the LDP policies are not viable, they will be required to demonstrate to the Council's satisfaction why the policy requirements cannot be achieved, and indicate what level of affordability would make a scheme viable and deliverable. A full and detailed appraisal would need to show:

- **The acquisition price of the site;**
- **Projected construction costs – Build costs per square metre (with either reference to industry standard BCIS or comparable evidence based contract prices). The build cost should include an allowance for any requirements set through national policy and building regulations. (These should not be identified as exceptional costs);**
- **Exceptional Costs attached to the development – These costs are identified as unforeseen costs, which have come to light subsequent to the purchase and / or start of development, i.e. archaeological findings, unknown mine shafts, utilities provisions. This list is not exhaustive. The list of abnormal costs would need to be broken down and highlighted within any assessment.**
- **Costs such as demolition of buildings on site, or works to the topography of the site are not unforeseen / abnormal, and should be factored into build costs / site purchase;**
 - **Proposed final sales values per unit;**
 - **The applicant's profit requirement;**
 - **Unit types;**
 - **Finance costs;**
 - **Professional Fees;**
 - **Costs of other planning obligations; and,**
 - **Any other relevant information.**

In that:

- (i) the applicant has declined to pay the required financial contribution towards providing affordable housing, which is applicable for residential sites of less than 5 units;;

- (ii) the proposed development, given the submitted scheme and associated viability statement, renders the development unviable through the applicant's choice to pursue a scheme where the costs of the development far exceeds the estimated market value of the property.

Mae'r dudalen hon yn wag yn fwriadol

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

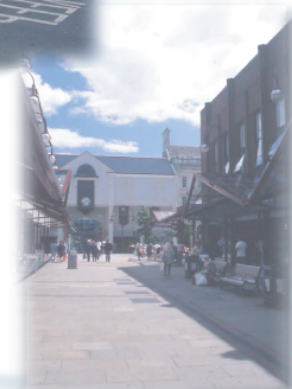
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 08 MAWRTH 2018
ON 08 MARCH 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:	08 MARCH 2018
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
W/36448	Proposed double garage at 9 Trysor, Glenfryn, Porthyrhyd, Carmarthen, SA32 8PP
W/36577	Variation of Condition 2 of planning permission W/30595 (extension of time in which to submit reserved matters) at land at Cae Glas, St Clears, Carmarthen, SA33 4EY

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
W/36522	Construction of a detached dwelling (local needs) at plot adjacent to Ael-y-Bryn, Carmarthen, SA33 3EH

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/36448
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Application Type	Full Planning
Proposal & Location	PROPOSED DOUBLE GARAGE AT 9 TRYSOR, GLENFRYN, PORTHYRHYD, CARMARTHEN, SA32 8PP

Applicant(s)	MR RICHARD EVANS, TRYSOR, 9 GLENFRYN, PORTHYRHYD, CARMARTHEN, SA32 8PP
Agent	DARKIN ARCHITECTS - ASHLEY JOHN WOOD, 1 JOHN STREET, LLANELLI, SA15 1UH
Case Officer	Ceri Davies
Ward	Llanddarog
Date of validation	15/11/2017

CONSULTATIONS

Llanddarog Community Council – Has not commented on this application to date.

Local Member - County Councillor Ann Davies has not commented on this application to date.

Neighbours/Public – Four neighbours were notified on receipt of this application; one letter of representation, signed by the owner/occupiers of two different households, has been submitted to date, objecting to the application. The reasons for objection are summarised in the Officer's appraisal.

RELEVANT PLANNING HISTORY

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

D4/25250	Siting of residential dwellings Outline planning permission	02 February 1995
W/02823	Siting of residential dwellings (renewal of D4/25250) Outline planning permission	30 September 1999
GW/03717	Residential development (9 dwellings) Reserved Matters granted	15 May 2003

APPRAISAL

THE SITE

The application site forms part of the residential curtilage associated with a detached property known as Trysor, which forms part of a small residential estate known as Glen Fryn which lies on the northern outskirts of Porthyrhyd. Whilst the majority of Glen Fryn estate has been built, there remains one vacant plot and the estate road is in an unfinished state. Immediately north of the estate is the A48 dual carriageway. Trysor, which is also known as No.9 Glen Fryn consists of an irregular shaped curtilage; with its western boundary siding onto the rear curtilages of two bungalows fronting onto the B4310 county road, Cartref Clyd and Allt y Pistyll.

THE PROPOSAL

This application seeks full planning permission for a detached double garage, which will be sited to the front of the dwelling; at present the area on which the proposed garage will be sited is a lawn, which lies to the north of the dwelling.

Owing to the configuration and restricted nature of the application site, the garage has been designed in a broadly triangular fashion with a sloping roof to accommodate storage space in the roof void. The garage is single storey in appearance, with the exception of two roof-lights to accommodate the storage space in the roof.

PLANNING POLICY

In the context of the current development control policy framework, proposals of this nature must be examined against the general requirements of Policy GP1 of the Carmarthenshire Local Development Plan (LDP).

THIRD PARTY REPRESENTATIONS

One letter of objection has been submitted, signed by the occupiers of the two adjacent properties, Allt y Pistyll and Cartref Clyd.

The main areas of concern are summarised as follows:

- Scale/size of the proposed garage;
- Height of the proposed garage;
- Impact of the garage owing to the different ground levels;
- Loss of light;
- Loss of view;
- Surface water disposal;
- Commercial use of the garage.

CONCLUSION

With regard to the concerns raised by objectors, in the first instance it is acknowledged that there is a difference in ground levels, with the ground level associated with No.9 Glen Fryn approximately 1 metre higher than the ground level associated with the rear garden of Allt y Pistyll. The authority is fully aware of the differing ground levels as the whole Glen Fryn

estate has been built on a sloping field, hence properties at Glen Fryn are higher than the original properties fronting onto the B4310 county road. Having due regard to the ground levels, the authority has sought to work closely with the applicant/agent to ensure any development at this location has as minimal an impact as possible on the aforementioned property, Allt y Pistyll.

For that purpose, Members are advised that the current proposal has been amended significantly to that which was originally submitted by the applicant. The original scheme, represented a much larger, two storey form of development, which the authority considered inappropriate at this location in that it would have had a potential over-bearing impact on Allt y Pistyll. In contrast, the authority deems the current proposal has taken into full account the differing ground levels and the initial concerns of the authority, in that the overall massing and height of the garage has now been significantly reduced. Furthermore, the roof has been extensively altered and is now configured in such a way that where the garage backs onto the boundary with Allt y Pistyll, the end elevation is of a modest single storey appearance.

With the reduction in height and massing, the authority is satisfied that the garage will sit comfortably at this location, without having an unacceptable impact on the amenity of Allt y Pistyll. The site aspect coupled with the separation distance between the rear elevation of Allt y Pistyll and the proposed garage, means unacceptable loss of light cannot be sustained as a material objection in this instance.

The authority deems the proposal will have no detrimental impact whatsoever on the occupiers of Cartref Clyd.

It is accepted the garage is large in terms of its appearance and scale; however it is not deemed over-engineered for the purposes of a domestic shed. Whilst the building occupies a position to the front of the dwelling and will be visible from the estate road, it will not dominate the dwelling owing to the configuration of the plot. The justification for the proposed garage is that at present the applicant is utilising a temporary structure to house his camper van, which is considered to be unsightly.

It would appear that the main area of objection stems from concerns over the perceived use of the building, whereby the objectors consider the garage will be utilised for a business/commercial use. The objectors have drawn the authority's attention to the applicant's businesses, one being the applicant's restored VW Beetle and VW camper van which he hires out for weddings; along with the applicant's wife's bespoke jewellery business. Both the applicant and his wife are in full time employment, hence the aforementioned are deemed ancillary side-line businesses which brings in a secondary source of income to the household. As both businesses are deemed ancillary, no planning permission is required for the said uses. The authority accepts the need for a purpose built garage to house the vintage vehicles and does not envisage the allowing of a garage to be built at this location will generate unacceptable levels of traffic, essentially owing to the bespoke and specialised nature of the applicant's side-line businesses. Both the advertised businesses have been operating from this property for some time and to date the authority has not received any complaints from any residents, including the two objectors to this application.

The applicant has not indicated to the authority that the garage is required as a facility to repair, adapt or modify vehicles or run any form of business; whilst that may not satisfy the concerns of the objectors, Members will appreciate that a perceived use of a building is not

considered a sustainable reason for refusing a planning application; hence this application has to be determined on the basis of what has been applied for in this instance i.e. a private domestic garage. The authority will as a matter of course impose conditions to strictly control the use of the building and also conditions that will prevent the use of the building for any commercial and/or business use.

The objectors have also raised concern over surface water disposal; this would appear to be a concern they have raised previously when the initial applications were being considered by the authority for the residential estate. The building of a garage at this location will not lead to additional surface water generation, if anything, the development will serve to direct surface water from the lawned area to existing surface water drains.

Lastly, it is considered the concerns over traffic generation cannot be sustained in this instance as those concerns relate primarily to a perceived commercial entity operating at this location which, as already stressed, appears not to be the case. Furthermore, through the imposition of suitable conditions the perceived use cannot take place at this location through the granting of this planning consent.

In terms of policy consideration and following a site inspection, it is considered the scale of the building in its amended form is acceptable at this location; it is considered the proposed garage will not have a significant impact on the visual amenity of the wider area or the residential amenity of the nearest dwellings.

On balance, it is considered the garage will not cause undue harm to the character and appearance of the surrounding locality; furthermore, the concerns over perceived use are not deemed sustainable reasons for refusal. In the absence of any other sustainable reason for refusal, it is considered the proposal accords with the general requirements of Policy GP1 of the Local Development Plan, as such, the application is put forward with a recommendation 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 approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any other condition:-
 - Site Location Plan – 1:1250 scale received on 28th November 2017;
 - Site Block Plan – 1:500 scale received on 28th November 2017;
 - Proposed Site Block Plan – 1:500 scale received on 28th November 2017;
 - Proposed Floor Plans – 1:100 scale received on 14th November 2017;
 - Proposed Elevations – 1:100 scale received on 14th November 2017;
 - Contextual Elevation – 1:100 scale received on 14th November 2017;
 - Sections – 1:100 scale received on 14th November 2017.

- 3 The development hereby approved shall be used for domestic storage purposes only ancillary to the enjoyment of the dwelling house and retained as such thereafter in perpetuity.
- 4 At no time shall the building be used for the repair and/or modification of vehicles or any other form of trade, business or commercial use.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of the amenities of the occupiers of the neighbouring residential property. [Policy GP1 of the LDP]
- 3-4 To prevent any separate use on the site. [Policy GP1 of the LDP]

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 of the Carmarthenshire Local Development Plan, in that it is appropriate in terms of scale and design, sufficient amenity/garden space remains, and it shall not adversely affect the amenities of the occupiers of any neighbouring properties. It is considered the scale of the building in its amended form is acceptable at this location; it is considered the proposed garage will not have a significant impact on the visual amenity of the wider area or the residential amenity of the nearest dwellings.

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.

Application No	W/36577
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Application Type	Variation of Planning Condition(s)
Proposal & Location	VARIATION OF CONDITION 2 OF PLANNING PERMISSION W/30595 (EXTENSION OF TIME IN WHICH TO SUBMIT RESERVED MATTERS) AT LAND AT CAE GLAS, ST CLEARS, CARMARTHEN, SA33 4EY

Applicant(s)	MRS ROSEMARY EVANS, BRYNHEULOG, HIGH STREET, CARMARTHEN, SA33 4DY
Agent	ASBRI PLANNING - MR MATTHEW GRAY, SUITE 4 THE J SHED, SA1 SWANSEA WATERFRONT, ST THOMAS, SWANSEA, SA1 8BJ
Case Officer	Stuart Willis
Ward	St Clears
Date of validation	05/02/2018

CONSULTATIONS

St Clears Town Council – Has not commented to date.

Local Member - County Councillor P M Hughes has stated that he supports the application and requested the application be presented to the Planning Committee if recommended for refusal.

Dwr Cymru/Welsh Water – Have responded raising no objections to the proposal.

Neighbours/Public - The application has been publicised by the posting of a Site Notices at/near the application site. Eight representations have been received to date raising objections on the following grounds:-

- Questions over the Article 10 notice served on landowners;
- Lack of information and errors in Article 10 notice and application;
- Notice not served on other land owners/application site incorrect;
- Other landowners will not give the applicant consent to build;
- Information not correctly shown on the Authority's website;
- Question whether there have been material changes including planning policy, traffic and pedestrian activities since the previous permissions;
- Comment that landowner is not capable of delivering development on the site;
- Concern over location of turning head in relation to safety and pipes;

- Mental anguish to residents due to delay in commencing building;
- Highway safety issues regarding narrow lane and junction at Heol Goi with High Street and on road parking and pedestrian activity.

RELEVANT PLANNING HISTORY

The following relevant planning applications have been previously submitted on the application site:

W/30595	Variation of condition 2 on planning permission W/21657 (to extend by 3 years the time allowed to submit the reserved matters) Variation of Planning Condition granted	11 September 2014
W/21657	Five family dwellings Outline planning refused Appeal upheld	06 July 2011 10 February 2012
W/19792	Five family dwellings Withdrawn	22 January 2009
D4/4811	Certificate of alternative development	04 October 1978

APPRAISAL

THE SITE

The application site is the western portion of a field located to the east of a street of dwellings known as Cae Glas at St Clears and includes the private road serving these houses. The site is located to the south of the A40 Trunk Road and has the remainder of the larger field to the east. To the south of the application site, beyond the timber post and rail fence is a strip of land that is apparently in third party ownership, beyond which is a highway known as Heol Goi. The site is currently under grass and is fairly level and has a post and rail fence to the north and south boundaries with a post and wire fence to the west. The eastern boundary of the site is notional as it is not delineated on the ground.

Access to the site is intended to be via Cae Glas and Heol Goi and to that end an area of highway verge was included within the previous application site, along the northern side of Heol Goi to provide a pedestrian footpath. A further area of land to the south of Heol Goi has been included within the application site to allow for the provision of a passing place and is land that is also within the highway verge. The previous application was refused by the Authority due to issues relating to the public sewer, access and impact on the highways network (W/21657). The decision was appealed and the Inspector upheld the appeal and issued outline planning permission. A variation of condition was approved under application reference W/30595 at Planning Committee to extend the time period for the submission of reserved matters by a further 3 years. This took the time to submit the reserved matters for 10/2/18. Commencement of the development was amended to be 6 years from the date of the original permission or 2 years from the date of the last reserved matters being approved.

The site is located within development limits and forms part of a residential allocation T2/5/h5.

THE PROPOSAL

The application seeks to vary condition 2 of W/30595, which itself was a variation of condition from the original permission W/21657. This condition relates to the time period for the submission of reserved matters and commencement of the development.

The existing condition requires reserved matters to be submitted by 10/2/18 and commencement 2 years after the approval of these matters.

When the variation of condition was originally submitted it sought to request an extension of time to submit the reserved matters to 9 years from the first planning permission – from 10/2/12 to 10/2/21. This would have essentially renewed the application and sought to extend the overall time period of the application. Initially the application form indicated the applicant was the sole landowner/person with an interest in the land.

Subsequently the application has been amended. It now seeks to vary condition 2 to seek an additional year to submit the reserved matters. Therefore looking to submit the reserved matters by 10/2/19. The overall time period for the permission to be implemented is no longer to be amended. Instead the additional 1 year to submit the reserved matters is at the expense of the 2 years to commence the development after reserved matters approval. Therefore the submission now seeks to amend the condition to ask for reserved matters to be submitted 7 years from the first permission (10/2/19) and commencement to be 1 year following reserved matters approval.

PLANNING POLICY

In the context of the current development control policy framework the site is located outside the defined development limits of any settlement as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

The site is located within the defined settlement limits for St Clears in the Carmarthenshire Local Development Plan. The site also forms part of the allocation for residential development under site reference T2/5/h5. The indicative allocated numbers of dwelling units for this allocation is 40.

Policy SP1 Sustainable Places and Spaces

This policy states that proposals for development will be supported where they reflect sustainable development and design subject to a number of criteria. These include distributing development to sustainable locations in accordance with the settlement framework, promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling and Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness

Policy SP9 Transportation

This policy states that provision is made to contribute to the delivery of an efficient, effective, safe and sustainable integrated transport system in a number of ways including the following, reducing the need to travel, particularly by private motor car; supporting and where applicable enhancing alternatives to the motor car, such as public transport (including park and ride facilities and encourage the adoption of travel plans), and active transport through

cycling and walking; re-enforcing the function and role of settlements in accordance with the settlement framework; promoting the efficient use of the transport network.

SP17 Infrastructure

Development will be directed to locations where adequate and appropriate infrastructure is available or can be readily provided. The LDP therefore supports the economic provision of infrastructure by allocating sites in identified settlements and in accordance with the Settlement Framework.

Renewable energy generation and associated utility connections will be encouraged, in appropriate locations, subject to other Plan policies.

Proposals for ancillary developments to the utilities infrastructure will be permitted where:

- a) they have regard to their setting;
- b) incorporate landscaping;
- c) do not conflict with the areas built, historic, cultural and nature conservation and landscape qualities. (Policy SP13 and SP14)

Planning Obligations relating to developer contributions towards necessary infrastructure improvements may be sought subject to policy GP3.

Policy GP1 Sustainability and High Quality Design

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

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 4 and TAN12: Design and Planning Policy Wales 2010).

Policy GP3 Planning Obligations

The Council will, where necessary seek developers to enter into Planning Obligations (Section 106 Agreements), or to contribute via the Community Infrastructure Levy to secure contributions to fund improvements to infrastructure, community facilities and other services to meet requirements arising from new developments.

Where applicable, contributions will also be sought towards the future and ongoing maintenance of such provision either in the form of initial support or in perpetuity.

In implementing this policy schemes will be assessed on a case-by-case basis.

Policy GP4 Infrastructure and New Development

Proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development.

Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by (or an appropriate contribution is provided by) the developer.

Planning obligations and conditions will be used (where appropriate) to ensure that new or improved facilities are provided to serve the new development.

Policy H1 Housing Allocations

Land has been allocated for residential development for the plan period 2006 – 2021 at those locations as set out below and as depicted on the Proposals Map.

Proposals for the residential development of allocated housing sites submitted in the form of a Full Planning application or as a Reserved Matters application should be accompanied by a layout of the proposal in its entirety to ensure the site is developed to its full potential.

Policy AH1 Affordable Housing

A contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub-market areas.

Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

On Site Contributions

The affordable housing will be required to be provided on proposals of 5 or more dwellings in all settlements.

Where adjacent and related residential proposals result in combined numbers meeting or exceeding the above threshold, the Council will seek an element of affordable housing based on the affordable housing target percentages set out above.

Proposals will be required to ensure that the dwelling remains affordable for all subsequent occupants in perpetuity.

Commuted Sums

Where an open market residential site falls below the above thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq.m.)

Policy TR3 Highways in Developments - Design Considerations

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

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

THIRD PARTY REPRESENTATIONS

Turning to the adverse third party representations received to date.

Concerns were raised over the content of the submission. This included the application form, associated details and the Article 10 notice served on other landowners. It is acknowledged that the application form includes errors such as incorrectly stating the site cannot be seen from a public highway. The Officer has visited the site and it is clear that the site is visible. It is not felt though that any such errors have affected the assessment of the application.

The matter of land ownership was raised by objectors. Having requested clarification over the land ownership the applicant has subsequently acknowledged that the incorrect ownership certificate was initially completed. They have now submitted an amended certificate of ownership and served notice on the other landowners. Following this we have received a response from one of the owners questioning the content of the notice served on the other parties. Notice has been served informing owners of the application. Generally this

process is carried out prior to the application being submitted and therefore certain details such as the application number are not known. Whether information on the submission should be removed since the amendments made to the scheme was raised however all details remain on the file and website as is standard practice.

Objectors have indicated that other landowners will not give the applicant consent to build and that the applicant is not capable of implementing any permission. Objectors refer to there still being no consent from them however it is possible that the issue could still be resolved. Whether the site is suitable to remain within development limits would be a matter to be considered as part of the LDP process and any related review of the LDP.

The Inspector commented that:-

“I am aware of the ownership dispute regarding these two alternative routes, but for the reasons previously given, that dispute is not something about which I can comment. Whether it could be constructed is a matter that goes to land ownership, but on the basis of the information before me, I conclude that there is a reasonable expectation that a footway to the south of the proposed dwellings could be provided within the lifetime of any permission, following negotiations with any other land owners who may have a legal interest in the land concerned.”

Certain comments from the Inspectors decision are considered worth noting. These include:-

“... any works that may be necessary and the funding of such works to the private road, including the provision of a turning head and footway connections, are matters that can be addressed under the Highways Act and through agreements with the various owners. Being an outline planning application, my concern is limited to whether the appeal site is of sufficient size to accommodate those elements. The indicative plan (09/357/22B) indicates that it is, details of which would be considered at the later Approval of Reserved Matters (ARM) stage. Therefore I need comment no further about this matter now.”

“As to car parking, the indicative plan shows that the development could accommodate parking within each plot in a similar manner to that provided in the existing development. Therefore at this outline stage, I find nothing to convince me that it would not be possible to provide adequate parking and that unacceptable highway congestion would result. Again, the precise layout and provision of car parking within the site would be considered at the ARM stage.”

“Heol Goi is a relatively narrow, no-through road that joins the High Street some way to the east. There are currently no footways alongside the carriageway which is flanked by banks, some trees and hedges, other than to the west of the appeal site adjacent to the recent development, Cae Glas. However, as such highway characteristics must have been evident and taken into account when the site and the adjoining land were allocated in the UDP for residential development, I need to consider whether any material considerations in respect of the highway implications are such as to justify rejecting the proposal now.”

“There is no compelling up-to-date highway evidence relating to the likely traffic generation arising from the proposed five dwellings and the effect upon the capacity of the local highway network. No recent traffic flow readings have been submitted, either in terms of vehicles or pedestrians: the only information from the appellant dates from 2001. However, although the existing development generates traffic, I must limit my consideration to the current proposal and establish whether this would create unacceptable highway conditions. In this

regard, I find nothing to convince me that the volume of traffic generated by the five proposed dwellings would be likely to have a significant impact upon the overall use of Heol Goi. Even though the junction with the High Street is not ideal, I observed that the visibility is such that, with care, vehicles can join the High Street safely. Similarly, having regard to Manual for Streets 2, I find nothing to show that the visibility at the Cae Glas access would be dangerous.”

“...given the absence of any evidence relating to traffic flows and the resultant need for passing bays arising from the proposed development, although there is a pinch point, I similarly find no justification in highway safety terms for imposing a planning condition requiring that element to be provided as part of the current proposal.”

Objectors have referred to there being material changes since the appeal decision. These include on road parking, highways safety and pedestrian activity. Comments from the Inspector above have referred to footway and general highways principles. The development is outline with all matters reserved and therefore access details were not agreed as part of the previous outline submission or this variation of condition. It is not felt that there have been any significant changes to the area that warrant the refusal of the application.

Matters have been raised which would be dealt with under separate legislation or as part of the reserved matters submission if the variation of condition is approved. This includes the position of pipes across the site and any proposed turning head.

The impact on local residents from the delay in building commencing and the anguish this has caused has been referred to. It is acknowledged that there has been a delay in development however in relation to material planning considerations it is not felt there are any issues that warrant the refusal of the application.

The proposal is to extend the time period for the submission of reserved matters and reduce the subsequent time for the development to commence. No other changes are proposed to the scheme. Therefore it is the same scheme that the Authority previously refused and that was allowed at appeal. It is also the same scheme that was approved at planning committee in 2014 when the first variation was sought in all other respects. Whilst the Authority has clearly had concerns over the development of the site previously appeal decisions are a material planning consideration. The decision to allow the appeal is therefore a key factor in the assessment of the application. The Authority would have to consider whether they would be seen as unreasonable in refusing an application where an appeal had previously been allowed for the same development without there being any material changes to go against the previous decision. While the development plan has altered it is not felt any changes warrant the refusal of the application and likewise any other material considerations. An unreasonable refusal would leave the Authority open to possible costs at appeal.

Community benefits are required for a development of this scale in line with LDP policy. Initially the application sought to extend the life time of the outline planning permission and the contributions required would have been based on the current LDP policy. This would potentially include affordable housing and public open space where necessary and subject to viability. However the proposal now seeks to extend the time for reserved matters to be submitted by 1 year and reduce the time for commencement by 1 year. As the overall period of the outline permission is not to be amended it is not considered that community benefits should be looked at afresh. The original and previously amended permission included a condition requiring a scheme for affordable housing to be provided prior to the

commencement of development being 1 of the 5 units. It is therefore felt that this condition remains relevant and that there is not a need for a legal agreement to secure the provision of 1 affordable unit.

Welsh Water have yet to comment on the application however in relation to this matter the Inspector stated:-

“Turning to the issue of drainage, it is evident that Dŵr Cymru has been consulted regarding the up-grading of the St Clear catchment and associated waste water treatment works to resolve all capacity issues within the sewage network. A series of exchanges took place in September 2009, July 2010 and in April 2011, but it was not until 26 January 2012 that the matter was clarified. In that recent letter Dŵr Cymru confirmed that the foul sewage flows from the proposed development would not impact on the current flooding issues within the North of St Clears area, because those flows would drain into a different sub-catchment. Consequently, the objection to the proposed development on foul drainage grounds was withdrawn by the Council by letter dated 31 January 2012.”

In conclusion the Inspector stated:-

“... the proposal would not conflict with the Development Plan and that there are no material considerations of such weight as to justify rejecting the proposal, other than where I have indicated.”

While the development plan and planning policy has altered since the original decision it is not felt that there are any material considerations which have altered to the extent that planning permission should be refused.

CONCLUSION

The application site is located within the defined development limits for St Clears and has been allocated for residential development within the Carmarthenshire Local Development Plan, therefore the principle of residential development is acceptable, unless other material considerations indicate otherwise. Material considerations include policies within the LDP as well as other material issues that have been raised by consultees and other third parties and the previous appeal decision.

After careful consideration of the scheme as submitted and taking into account the representations received, it is considered that on balance the scheme is acceptable.

Therefore, it is recommended that the application be approved subject to the same conditions of the Inspectors decision.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local

Planning Authority before any development begins and the development shall be carried out as approved.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than seven years from the date of the original outline planning permission reference W/21657 dated 10/2/2012. The development shall begin either before the expiration of 7 years from the date of the original permission (10/2/12) or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 3 The development shall not begin until 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 unit shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN2 or any future guidance that replaces it. The scheme shall include:-
 - i) the type, tenure and location on the site of the affordable housing unit;
 - ii) the timing of the construction of the affordable housing unit and its provision in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing unit to an affordable housing provider or the management of the unit;
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing unit; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing unit and the means by which such occupancy criteria shall be enforced.
- 4 No development shall commence until schemes for the provision of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The approved schemes shall be completed before any dwelling is occupied.
- 5 No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- 6 No development shall commence until a scheme has been submitted and approved in writing by the Local Planning Authority for the provision of a footway along the southern side of the site on land adjacent to plot 10 and to the north of Heol Goi and extending to the eastward extremity of that part of the appeal site, and a turning area within the development site. The footway and a turning area shall be completed in accordance with the approved scheme before any dwellings are occupied.

REASONS

- 1 In the interest of visual amenity.

- 2 The application is in outline form.
- 3 To ensure appropriate provision of affordable housing.
- 4 To ensure appropriate drainage methods to protect the environment and reduce risk of flooding.
- 5 To protect historic environment interests whilst enabling development.
- 6 In the interest of highway and pedestrian safety.

REASONS FOR DECISION

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

- The proposed development complies with Policy TR3, AH1, H1 and GP1 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') of the Carmarthenshire Unitary Development Plan, 2006 (UDP) in that the development located within an area of land allocated for residential development, seeks to vary previous permission where there has been no material change to circumstances. There are no highways, amenity or utility concerns to warrant refusal of the application. Appropriate contributions are made towards affordable housing.

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 This outline consent relates to the principle of development only and not to the other information provided on the sketch/indicative layout drawings or dimensions submitted in support of the proposal unless indicated in the above conditions. The consent does not imply any support by the Local Planning Authority for the illustrative plans or information submitted with the application.

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/36522
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF A DETACHED DWELLING (LOCAL NEEDS) AT PLOT ADJACENT TO AEL-Y-BRYN, CARMARTHEN, SA33 3EH

Applicant(s)	MR WILLIAM JAMES, LAN, ABERNANT, CARMARTHENSHIRE, SA33 5RR
Agent	MARK BAGGOTT LTD - MARK BAGGOTT, BRYNCELYN, VELINDRE, CARMARTHENSHIRE, SA44 5YF
Case Officer	Helen Rice
Ward	Cynwyl Elfed
Date of validation	05/12/2017

CONSULTATIONS

Newchurch and Merthyr Community Council – No comments received.

Local Councillor – Cllr Irfon Jones, Vice-Chair of the Planning Committee, requests that the application be considered by the committee if recommended for refusal as it is considered that the applicant has met with all of the requirements asked of him.

Head of Transport – No objections subject to the imposition of conditions.

Neighbours/Public – The application was the subject of notification by way of a site notice. No representations were received as a result.

RELEVANT PLANNING HISTORY

Whilst there is no planning history relating to the application site, this application follows the withdrawal of a similar application (application reference W/35899) on a site further to the east of the application site. The application was withdrawn on 18 August 2017 following concerns raised in relation to the overall extent of the proposed footprint of the dwelling and its remote location and thus lack of accordance with Policy AH3.

The landowner has advised that the previous location was a silage field and, as such has decided to relocate the proposal to another field (the site subject of the current application) to avoid loss of yield. The landowner has advised that revised location is on a field which is

disjointed from the farm with water and electricity connections readily available and offers better highway visibility avoiding the need for as much hedgerow translocation as previous.

APPRAISAL

This application is being reported to the Planning Committee following a call-in request by Cllr Irfon Jones as detailed above.

THE SITE

The application site currently comprises part of an agricultural field situated along the Henfwlch Road, approximately 5km north-west of Carmarthen town. This area of Henfwlch Road is characterised by scattered farmsteads and dwellings with no defined settlement. The site comprises the north western corner of an elongated agricultural field with a frontage onto Henfwlch Road C2038 currently delineated by a hedgerow, with a further hedgerow defining the site's western boundary with the eastern and southern boundary open onto the remaining agricultural field. The eastern boundary of the agricultural field adjoins an access road that serves a farmstead known as Pencraig. Two intervening agricultural fields are situated between the site and the nearest dwelling known as Ael y Bryn located 100m to the west. The site gently slopes from north west down to south east.

THE PROPOSAL

Planning permission is sought for the erection of a detached two storey 3 bedroomed property within the north western corner of the agricultural field with the creation of a new vehicular access. The creation of the access will require puncturing the existing hedgerow boundary of the site onto the C2038 with the submitted plans indicating that the hedgerow would be translocated behind the required visibility splays, which also includes the hedgerow boundary of the adjacent field within the control of the applicant.

The dwelling would be set back from the road frontage with the provision of off-site parking and turning areas and surrounding lawned garden area. The existing hedgerow boundary along the site's western boundary would be retained, with the provision of a new post and rail fence and planting to define the southern and eastern boundary of the application site. The submitted floorplans indicate the provision of an open plan kitchen, dining and lounge area with a further enclosed utility room on the ground floor with a master en-suite bedroom, two further bedrooms and bathroom on the first floor. The property would be finished in render with stone cladding detail on the front elevation with synthetic roof slates and upvc windows, doors, fascia and guttering.

The application is for a local needs dwelling for the applicant who currently resides on the family farm in Abernant and having lived in the area all his life. The applicant is in full employment as well as assisting his Uncle and Auntie to run their farm known as Cefnmystrych which is located 1km to the south east of the application site. The application site is located on a field which forms part of the Cefnmystyrch holding. For information Cefnmystrych comprises a farmhouse, as well as a further dwelling located near its access point onto Henfwlch Road which is the subject of an agricultural tie and is believed to be accommodated by the applicant's family. The applicant's partner is employed as a teacher within a secondary school in Carmarthen town. The submission indicates that a search of properties within the area confirms that prices are too high for the applicant's loan to value allowance and thus without the opportunity to build the property the applicant would have to

move into Carmarthen Town thus reducing his ability to assist his family on the nearby farm at Cefnmystrych. In this regard, the applicant considers that he meets the requirement set out in Policy AH3 of the Carmarthenshire Local Development Plan.

PLANNING POLICY

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

Policy SP1 Sustainable Places and Spaces stipulates that proposals for development will be supported where they reflect sustainable development and design principles by concentrating developments within defined settlements, making efficient use of previously developed land, ensuring developments positively integrate with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure

Policy SP3 Sustainable Distribution Settlement Framework seeks to concentrate development in sustainable locations within existing defined settlements such as identified growth areas, service centres, local service centres and other defined sustainable communities.

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

Policy AH3 Affordable Housing – Minor Settlement in the Open Countryside enables the erection of new dwellings within groups of dwellings without Development Limited provided that it is to meet a genuine identified local need which is defined as:

... residents (and their dependents) of the community and town council area or adjoining community and town council area. Present residents whose circumstances may relate to current substandard or unsatisfactory accommodation or where they are forming a new family or leaving the parental home for the first time will be considered as will those who make a significant contribution to the social, cultural and economic vitality of the community and town council area.

In addition the definition will apply to those persons with a long standing link with the community and town council area including a period of established residence within the last twenty years. Those persons who have a proven functional need to live close to their place of work or to a resident through an essential need arising from age or infirmity may also be deemed eligible for consideration.

Where applicants meet the above definition the proposals must be sensitively located and of a scale and size appropriate to the character of the area and compatible with an affordable dwelling with the initial affordability being retained for all subsequent occupants generally secured by way of a Legal Agreement.

Policy TR3 Highways in Developments – 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.

Other Welsh Government Guidance of relevance include:

Planning Policy Wales (8th Edition) January 2016

Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010)

Technical Advice Note 12 (TAN) 12: Design (2014)

APPRAISAL

The key considerations of relevance to this case are whether the proposal complies with the requirements of Policy AH3 Local Needs Dwellings of the Local Development Plan, its impact upon the character and appearance of the area and impact on highway safety.

Local Needs

Whilst there is a general presumption against the erection of new dwellings outside of defined settlements within the countryside, the LDP, having regard to guidance set out in PPW recognises that many parts of the countryside have isolated groups of dwelling and that sensitive infilling or small gaps and/or minor extension to such groups could be considered acceptable provided that they provide for affordable housing to meet genuine identified local need.

Policy AH3 provides the criterion against which such applications must be considered and specifies:

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

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

In terms of the need to demonstrate genuine local need, it is considered on balance that the applicant has provided sufficient information to demonstrate that he meets the definition, in that the he has lived in the local area all his life, is seeking to leave the parental home and provides assistance to family members on a nearby farm as a result of age and poor health. Information submitted with the application also indicates that the applicant is unable to purchase a home within the area. As such, the application is considered to comply with this element of the policy.

Turning to the site's location, it is not within a settlement, hamlet or group of dwellings and is rather a site in an isolated countryside location. Whilst there are scattered farmsteads and dwellings in the wider area, there are significant distances between these properties to the

extent that when travelling along Henfwlch Road, there is no appreciation that it constitutes a group of dwellings, but rather a scattering of individual established properties. There are examples in the wider area where there is a consolidation of dwellings which form a clear coherent group of dwellings (e.g. the cluster located around the cross roads near the Plough and Harrow Public House). The application site, is not adjacent to an existing property but rather located 100m distant of the nearest neighbouring property and thus would comprise a sporadic individual property within the countryside. Given the sporadic nature of the area, it is not possible for the site to comprise the sensitive infill of a small gap within an otherwise continuous built up frontage; or, a minor extension which does not result in ribbon development or perpetuate existing ribbon development as required by criterion (a) of the policy. As such, it is not considered that the proposal complies with the fundamental requirement of Policy AH3 or the guidance set out in PPW.

In terms of criterion (b), the overall design of the dwelling is reflective of two storey dwellings within the wider area, with the proposed layout and scale being commensurate with other properties. However, the development would puncture the well-established hedgerow creating a domestic appearance in an otherwise continuous rural/agricultural character and appearance. Whilst the proposal includes the translocation of the hedgerow, the dwelling would nevertheless be visible from the highway and would appear as an isolated, piecemeal development in contrast to the wider rural area to the detriment of the character of the area. As such, it is considered that the proposal would not comply with criterion (b) of Policy AH3.

The initial affordability of the property could be retained for all subsequent occupants through the completion of a Section 106 agreement to effectively control the future sale of the property. This has not been pursued with the applicant given the fundamental objection to the development as outlined above. It is therefore considered that whilst criterion (c) has not been met this could be complied with subject to the completion of a Section 106 agreement.

Turning to the last requirement of policy AH3, it is considered that the property is of a size, scale and design that is compatible with an affordable dwelling. The total floorspace proposed equates to 160sqm which, for a three bedroom dwelling, is considered commensurate with an affordable dwelling, and therefore, it is considered that the dwelling would be available to those on low or moderate incomes (the median income for the Cynwyl Elfed ward is £31,107 based on 2017 'Pay Check' data).

However, whilst the development may meet with some of the criteria of policy AH3, it fails to meet the locational criteria and would in effect amount to a sporadic unjustified form of development in the open countryside contrary to Policy AH3(a) and the advice set out in PPW.

Impact upon highway safety

The development would require the introduction of a new access into the site which as state above would not be considered acceptable on visual amenity grounds given the remote countryside location. However, in terms of highway safety, the Highway Authority has confirmed that an acceptable access could be achieved subject to the imposition of appropriate conditions.

CONCLUSION

After careful consideration of the application, whilst it is considered that the applicant meets with the definition of local need, the location of the proposed dwelling, by reason of its remote

location, fundamentally conflicts with Policy AH3 of the LDP and advice set out in PPW. It is not considered in this instance that material planning considerations outweigh these concerns and therefore the application is recommended for refusal.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy AH3 of the Adopted Carmarthenshire Local Development Plan (2014) which states:-

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

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

In that the development site is not located within a settlement, hamlet or group of dwellings without Development Limits and would not represent sensitive infill development of a small gap within an otherwise continuous built up frontage nor would it constitute a minor extension. The proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 2 The proposal is contrary to Policy GP1 of the Adopted Carmarthenshire Local Development Plan (2014) which states:

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

- a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;**
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) Utilises materials appropriate to the area within which it is located;**

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

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

In that the development site would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 3 The proposal is contrary to paragraphs 9.3.2 and 9.3.6 of Planning Policy Wales (9th edition, November 2016) which state:-

9.3.2 Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area.

9.3.6 New house building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be unobtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area.

In that the development site is not located within a settlement, hamlet or group of dwellings and is therefore in the open countryside where new housing building should be strictly controlled. The development would not represent sensitive infill development of a small gap within an otherwise continuous built up frontage nor would it constitute a minor extension. The proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

PWYLLGOR CYNLLUNIO

Dydd Iau, 8 Chwefror 2018

YN BRESENNOL: Y Cynghorydd A. Lenny (Cadeirydd)

Y Cynghorwyr:

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

Hefyd yn bresennol:

Y Cynghorydd T. Higgins, a fu'n annerch y Pwyllgor ynghylch cais cynllunio S/35645

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

J. Edwards, Rheolwr Datblygu & Treftadaeth Adeiledig;
G. Noakes, Uwch Swyddog Rheoli Datblygu (y Dwyrain);
H. Rice, Swyddog Rheoli Datblygu;
J. Thomas, Uwch Swyddog Rheoli Datblygu (y De);
Z.A. Evans, Senior Technician (Planning Liaison);
K. James, Peiriannydd Cynorthwyol (Cydgysylltu Cynllunio);
S. Murphy, Uwch-gyfreithiwr;
J. Owen, Swyddog Gwasanaethau Democrataidd;
P. Emlyn, Swyddog Cynnal Aelodau.

Y Siambr, Neuadd y Sir – 11:10am - 1:10pm

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorydd H.I. Jones.

2. DATGAN BUDDIANNAU PERSONOL

Y Cynghorydd	Rhif y Cofnod(ion)	Y Math o Fuddiant
Dorian Phillips	6. Cais cynllunio W/22625 Parlwr godro, siediau ciwbiclau, system slyri, ffordd fynediad a iardiau concridd newydd yn Henllan Farm, Henllan Amgoed, Hendy-gwyn ar Daf, Sir Gaerfyrddin, SA34 0SL	Yr Ymgeisydd.
Ken Lloyd	6. Cais cynllun W/36467 Newid defnydd preswylfa breifat bresennol i dŷ amlfeddiannaeth i hyd at 5 o bobl yn 3 Rhos Tabernacl, Caerfyrddin, SA31 1DL	Yr Ymgeisydd.

3. YSTRIED ADRODDIADAU'R PENNAETH CYNLLUNIO YNGHYLCH Y CEISIADAU CYNLLUNIO CANLYNOL [YR YMWELODD Y PWYLLGOR A'U SAFLEOEDD YN FLAENOROL] A PHENDERFYNU AR Y CEISIADAU

3.1. E/35356 - GWELLA'R MYNEDIAD PRESENNOL I GAE I HWYLUSSO MYNEDIAD I SAFLE LLEOLIAD ARDYSTIEDIG Â 5 CARAFÁN, TIR BRYNHYFRYD, HEOL TALYLLYCHAU, LLANDEILO, SA19 7HU.

[Sylwer: Nid oedd y Cynghorydd Eirwyn Williams yn bresennol yn y Pwyllgor Cynllunio a gynhaliwyd ar 14 Rhagfyr 2017 ac felly nid oedd wedi cymryd rhan yn y penderfyniad na phleidleisio ar benderfyniad y cais].

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y Dwyrain) at ymweliad preifat y Pwyllgor â'r safle yn gynharach y diwrnod hwnnw (gweler cofnod 3.2 o gyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 14 Rhagfyr 2017), a drefnwyd er mwyn i'r Pwyllgor allu asesu gwelededd a mynediad yn/i'r safle. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad ysgrifenedig y Pennaeth Cynllunio a oedd yn rhoi arfarniad o'r safle, ynghyd â disgrifiad o'r datblygiad, crynodeb o'r ymatebion a gafwyd i'r ymgynghoriad a gwybodaeth am y polisïau lleol a chenedlaethol a oedd yn berthnasol wrth asesu'r cais. Rhoddwyd gwybod i'r Pwyllgor fod y Pennaeth Cynllunio yn argymhell cymeradwyo'r cais am y rhesymau a nodwyd yn ei hadroddiad ysgrifenedig hi.

Atgoffwyd y Pwyllgor gan yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y Dwyrain) fod y cais yn gais ôl-weithredol ar gyfer cael gwell mynediad i ffordd dosbarth C, i hwyluso 5 carafán neu gartref modur arfaethedig wedi'u hardystio (Lleoliad Ardystiedig). Yn ogystal, nododd y Pwyllgor fod gan y Clwb Gwersylla a Charafanio dystysgrif eithrio o dan Adran 269 (6) o Ddeddf Iechyd y Cyhoedd 1936 ac Adran 2 o Atodlen Gyntaf Deddf Meysydd Carafanau a Rheoli Datblygiad 1960, sy'n caniatáu i'r Clwb sefydlu safleoedd bach heb orfod cael caniatâd cynllunio penodol. Yn y broses gadarnhau honno roedd yn rhaid ymgynghori â'r Awdurdod Lleol ynghylch diogelwch ffyrdd.

Yn ei hadroddiad roedd y Pennaeth Cynllunio wedi ymateb i'r materion a godwyd yn y chwe llythyr o wrthwynebiad a ddaeth i law oddi wrth drigolion lleol. Nododd y Pwyllgor nad oedd gan y Pennaeth Trafnidiaeth wrthwynebiad i'r cais, yn amodol ar gynnwys amodau perthnasol fel y manylwyd arnynt yn adroddiad y Pennaeth Cynllunio.

PENDERFYNWYD caniatáu'r cais cynllunio yn amodol ar yr amodau y manylwyd arnynt yn Adroddiad y Pennaeth Cynllunio, gan gynnwys amod ychwanegol i drawsleoli'r berth bresennol i gefn y lleiniau gwelededd gofynnol.

4. RHANBARTH Y DWYRAIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

PENDERFYNWYD YN UNFRYDOL ganiatáu'r cais cynllunio canlynol yn amodol ar yr amodau yn Adroddiad y Pennaeth Cynllunio a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod:-

E/35139	Llawr caled amaethyddol, â thrac mynediad a newidiadau i'r mynediad presennol i gerbydau (ôl-weithredol) ar dir y cae sydd i'r dwyrain o Benrhiwgoch, Maes-y-bont, Llanelli, SA14 7TB
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5. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO

PENDERFYNWYD:

5.1 bod y cais cynllunio canlynol yn cael ei wrthod yn groes i argymhelliad y Pennaeth Cynllunio oherwydd bod y Pwyllgor o'r farn nad oedd hyn yn eithriad o dan y polisi AH1 (Tai Fforddiadwy) ynghyd â'r Canllawiau Cynllunio Atodol.

5.2. bod y Pennaeth Cynllunio yn cyflwyno adroddiad mewn cyfarfod yn y dyfodol, i'w gymeradwyo gan y Pwyllgor, yn manylu ar y rhesymau cynllunio dros wrthod y cais a hynny'n seiliedig ar yr uchod

S/35645	Preswylfa a garej ar dir oddi ar Heol Hafod, Tŷ-croes, Rhydaman, SA18 3GA [Sylwer: Nid oedd y Cyngorwyr S. Curry, P. Edwards, D. Phillips a G. Thomas yn bresennol yn y Pwyllgor Cynllunio a gynhaliwyd ar 19 Hydref 2017 ac felly nid oeddynt wedi cyfrannu at y broses o benderfynu neu bleidleisio ar benderfyniad y cais]. Cafwyd sylwadau gan yr aelod lleol yn gwrthwynebu'r cais, yn erbyn argymhelliad i'w gymeradwyo y manylwyd arno yn adroddiad ysgrifenedig y Pennaeth Cynllunio yn seiliedig ar y farn y dylai'r ymgeisydd roi cyfraniad i'r gymuned yn unol ag Adran 106.
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6. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

6.1 **PENDERFYNWYD caniatáu'r cais cynllunio canlynol yn amodol ar yr amodau yn yr Adroddiad ynghyd ag amod ychwanegol yr adroddwyd ar lafar yn y cyfarfod bod angen darparu 2 o lecynnau pasio ar ffordd yr C3204 yn unol â chais y Pennaeth Cynllunio:-**

W/22625	Parlwr godro, siediau ciwbiclau, system slyri, ffordd fynediad a iardiau concriid newydd. Yn Henllan Farm, Henllan Amgoed, Hendy-gwyn ar Daf, Sir Gaerfyrddin, SA34 0SL [Sylwer: Gan ei fod wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd y Cyngorwyr D. Phillips y siambr]
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6.2 PENDERFYNWYD YN UNFRYDOL ganiatáu'r cais cynllunio canlynol, yn unol ag argymhelliad y Pennaeth Cynllunio:-

W/36320	Datblygiad preswyl – 2 uned ar wahân ar dir oddi ar Heol yr Ysgol, Cefneithin, SA14 7AE
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6.3 PENDERFYNWYD YN UNFRYDOL, a hynny ar gais yr ymgeisydd, fod y cais cynllunio canlynol yn cael ei ohirio:-

W/36467	<p>Newid defnydd preswylfa breifat bresennol i dŷ amlfeddiannaeth i hyd at 5 o bobl yn 3 Rhes Tabernacl, Caerfyrddin, SA31 1DL</p> <p>[Sylwer: Gan ei fod wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd y Cynghorydd K. Lloyd y siambr]</p> <p>Dywedodd yr Uwch-swyddog Rheoli Datblygu [Rhanbarth y Dwryain] fod yr ymgeisydd yn disgwyl cael canlyniad ynghylch gwerthu'r safle a gofynnwyd am i'r penderfyniad ynghylch y cais hwn gael ei ohirio.</p>
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7. LLOFNODI YN GOFNOD CYWIR COFNODION Y CYFARFOD A GYNHALIWYD AR 11^{EG} IONAWR 2018

PENDERFYNWYD YN UNFRYDOL lofnodi cofnodion y cyfarfod a gynhaliwyd ar 11^{eg} Ionawr gan eu bod yn gywir.

CADEIRYDD

DYDDIAD