

Pecyn Dogfennau



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

DYDD IAU, 23 TACHWEDD 2017

AT: HOLL AELODAU'R PWYLLGOR CYNLLUNIO

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R
PWYLLGOR CYNLLUNIO A GYNHELIR YN Y **SIAMBR, NEUADD Y SIR** AM
2.00 PM, DYDD GWENER, 1AF RHAGFYR, 2017 ER MWYN CYFLAWNI'R
MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democrataidd:	Michelle Evans Thomas
Ffôn (llinell uniongyrchol):	01267 224470
E-bost:	Democraticservices@sirgar.gov.uk
Cyf:	AD016-001



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

PWYLLGOR CYNLLUNIO 20 AELOD

Y GRŴP PLAID CYMRU – 10 AELOD

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

Y GRŴP LLAFUR – 6 AELOD

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

Y GRŴP ANNIBYNNOL – 4 AELOD

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

Aelodau Lleol a gwahoddir i fynychu'r cyfarfod:-

- Eitem 3.1 – Cynghorwyr – G.R. Jones a G. Thomas
- Eitem 3.2 – Cynghorydd L.M. Stephens
- Eitem 3.3 – Cynghorydd E. Williams
- Eitem 3.4 – Cynghorydd G. John

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGAN BUDIANNAU PERSONOL
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 S/35265 - NEWID ARFAETHEDIG I DDEFNYDD Y TIR AR GYFER GOSOD HYD AT CHWE CHARAFÁN AT DDIBENION PRESWYL, GAN GYNNWYS CREU Ffordd FYNEDIAD, TIRWEDDU AC ATI, AR DIR YN LÔN Y SIPSIWN, LLANGENNECH, LLANELLI, SA14 8UW 5 - 16
 - 3.2 W/36194 - DYMCHWEL BYNGALO AC ADEILADU PRESWYLFA A GAREJ NEWYDD YN EI LE (AILGYFLWYNO CAIS W/35643) S?N Y MÔR, GLANYFFERI, SA17 5RS 17 - 24
 - 3.3 W/36197 - CADW DEFNYDD RHAN O'R BRESWYLFA YN SALON HARDDWCH A THRIN GWALLT, PIBWR MILL, HEOL BOLAHUL, CWM-FFRWD, CAERFYRDDIN, SA31 2LW 25 - 32
 - 3.4 W/35655 - ADEILADU WARWS AILGYLCHU TEIARS YNGHYD Â SWYDDFEYDD CYSYLLTIEDIG, IARD WEITHREDOL, CLOS STORIO A SEILWAITH ATEGOL AR DIR GER HEOL ALLT-Y-CNAP, TRE IOAN, CAERFYRDDIN, SA31 3QY 33 - 46

Mae'r dudalen hon yn wag yn fwriadol

Application No	S/35265
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Application Type	Full Planning
Proposal & Location	PROPOSED CHANGE OF USE OF LAND FOR THE STATIONING OF UP TO SIX CARAVANS FOR RESIDENTIAL PURPOSES, INCLUDING FORMATION OF ACCESS ROAD, LANDSCAPING, ETC AT LAND AT GYPSY LANE, LLANGENNECH, LLANELLI, SA14 8UW

Applicant(s)	S LEE, C/O AGENT,
Agent	JCR PLANNING LTD - MR CRAIG JONES, UNIT 2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	Paul Roberts
Ward	Llangennech
Date of validation	16/03/2017

CONSULTATIONS

Local Member - County Councillor GR Jones has raised no objection to the caravans proposed on the site but has questioned whether the trees and hedgerows along Gypsy Lane obscure the visibility from the entrance. Furthermore, he's questioned whether vehicles should only be able to turn left when exiting Gypsy Lane.

County Councillor G Thomas has objected to the application on the following grounds :

- The site was deemed to be unsuitable as a traveller site two years ago when the Local Authority was considering such sites during the preparation of the LDP.
- The Local Authority Housing Service decided against the possibility of providing a traveller site on the land as the Head of Transport considered the Gypsy Lane / A4138 junction to be substandard and dangerous considering the volume traffic travelling along the A4138. Nothing has changed since time other than the volume of traffic has increased over the past two years making the proposal even less suitable.
- Highway safety is of paramount importance and there has already been a fatality along this stretch of road and allowing the proposal to go ahead would be irresponsible.

Councillor Thomas requests a site visit by the Committee so that her concerns can be carefully considered.

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

- The Community Council objected to the allocation of the site as a Gypsy and Traveller Site as part of the Local Development Plan process on the grounds that it is outside the development limits and the likely highway safety impacts. These reasons were accepted at the time.
- The curtilage of the site does not include land over which a suitable access can be achieved. The application is therefore deemed to be invalid and should have been returned to the applicant. The submission of an amended plan changing the curtilage of the application site to include additional land for the access would also be invalid and a complete new submission is therefore required.
- The Council query the ownership of the verge between the front boundary of the site and the road and, if this is Council land, was consent given for the existing narrow access to the site.

Head of Transport – Has raised no objection to the application subject to the imposition of suitable conditions.

Head of Public Protection – Has referred to the proximity of the site to the A4138 and the requirements of Technical Advice Note (TAN) 11: Noise (1997) in ensuring that noise levels within new developments are acceptable and meet the levels stipulated within the relevant BS Standard.

Head of Housing – Has raised no objection to the application and advised that the proposal will assist in meeting the identified need for additional gypsy and traveller sites in the County.

Welsh Water – Have raised no objection to the application.

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

- A previous proposal to use the land as a traveller site was rejected two years ago and the amenities of the site have not changed in the interim period.
- Likely increase in traffic and obstruction of a small lane that supports a dairy business and other farms and the potential detrimental impact upon these existing businesses.
- Gypsy Lane is a single track lane in most parts and can be blocked by the parking of the current tenant of the land and his horse box.
- The A4138 is one of the busiest roads in Llanelli with speeding traffic and a history of several accidents and fatalities. The inevitable increase in traffic will increase the risk of further fatalities.
- The junction of Gypsy Lane with the A4138 is hazardous and the staggered junction with the nearby junction leading to Llangennech School is even more hazardous during peak times due to school traffic.

- Long waiting times at the junction of Gipsy Lane with the A4138.
- Travellers are known to operate their businesses from home resulting in large vehicles as well as caravans visiting the site and increasing the risk of accidents.
- Access for children to Llangennech School from the site will be hazardous and cannot be contemplated on foot. Similarly, access to the village and amenities would be across the A4138 which would be dangerous for pedestrians.
- The site is located in the green belt and planning permission for residential development has previously been refused.
- The site has no amenities, electricity, sewerage or water supply. Connection to existing water supply pipes would disrupt and affect neighbouring properties.
- Drainage problems within the site.
- The presence of mining shafts in the area.
- Safety concerns and loss of privacy.
- The proposal would represent an unnecessary encroachment into the open countryside and be detrimental to the character of the village and the greenfield site.
- Potential habitats for protected species of fauna and flora within the site and the adjoining woodland and mine workings are a known location for bats.
- The proposal conflicts with Policies H8, H7, H9 and ENV10 of the LDP.
- Noise from the site could affect animal welfare.
- Elevated position of site above A4138 and likely visual impact of the development.
- Devaluation of property prices and increase in car and house insurance costs.
- Lack of consultation.
- Question the need for the applicant to have his own private site that would provide no benefit to the community.
- Allowing a gypsy site on the main route into Llanelli would not be a good advertisement for the town which is currently the subject of regeneration to attract new businesses.
- Loss and damage to surrounding properties.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

This is an application in which Carmarthenshire County Council has an interest in terms of land ownership of the highway verge which is included within the application site for access and visibility purposes.

THE SITE

The application site consists of an irregular shaped parcel of land located on the eastern side of Gipsy Lane on the outskirts of the village of Llangennech. It extends to some 0.2 hectares and forms part of a larger field enclosure that flanks the side of Gipsy Lane adjacent to its junction with the main A4138 that links Hendy and Llangennech with Llanelli. The site is located approximately 50 metres from the junction.

Access to the site is via an existing gated entrance onto Gipsy Lane which is an unclassified road that narrows to a single lane width to the north of the site entrance. The road has no footways or pedestrian facilities.

There is an existing hardstanding area in the north western corner of the site which is separated from the remainder of the land by post and rail fencing. This area of the site includes a small brick building and a number of steel container structures the latter of which are being used to stable horses which graze the field. The site falls gently in a southerly direction and is bounded by established trees and hedgerows on its northern, eastern and western boundaries. The southern boundary of the site is currently open having no defined feature.

The main built form of Llangennech is located to the south of the site beyond the A4138 with areas of countryside to the west, east and north. The Maes y Dderwen housing estate is located beyond the A4138 as are Llangennech Junior and Infant Schools. The site is located approximately 1km from the centre of the village and the services and facilities therein.

THE PROPOSAL

The application seeks full planning permission for the siting of six static caravans on the site together with the formation of an access road and landscaping works. The site is to be used for residential purposes by the applicant and his immediate family who are members of the local traveller community.

The caravans will be arranged around a new internal access road that will extend towards the southern and eastern boundaries of the site from the existing access. The access is to be widened to a minimum width of 5 metres with a splayed entrance onto Gipsy Lane. Four of the caravans will be positioned along the western boundary of the site behind the existing trees and hedgerow while the remainder will be set against the southern boundary of the site which is to have a new planted hedgerow. Each caravan is to have a compacted gravel base and parking area for two vehicles. Similarly, the roadway will consist of a granular sub-base and have a width of between 5 and 6.5 metres to allow vehicles to easily access and egress the site. The existing hardstanding area in the north western part of the site is to be retained as part of the proposal albeit the existing steel containers will be removed. The layout submitted shows the future siting of a modest sized recreation building within the centre of the site, however, this does not form part of the current application.

With regard to drainage, foul drainage from the site will be via either a sealed cesspit or a septic tanks which will discharge to a drainage field in the southern part of the site. Surface water will be disposed of via soakaway through the granular base of the roadway, caravan pitches and parking areas.

The supporting information accompanying the application confirms that the proposal will provide residential accommodation for the applicant and his extended family who have longstanding multi generation links to the Llanelli area. Fifteen family members will reside on the site who will include the applicant's father, brothers, uncle and cousins. The family's lifestyle is described as falling under the definition of "travellers" as defined in Welsh Assembly Circular 30/2007 "Planning for Gypsy and Traveller Caravan Sites" whereby they are of a nomadic habit of life. They have previously resided at the traveller sites in the Morfa and Penybryn in Bynea but left the latter some 10 years ago on safety grounds

following tensions with other residents. The applicant and his extended family have since been living in houses as well as residential caravans located in their gardens and highlight their wish to return to their traveller way of life with the creation of a new private site on the application site. In doing so, they draw reference to the lack of council owned sites being brought forward in the County and the need for new privately owned sites.

The application has been accompanied by a tree survey of the site as well as a transport statement. The former confirms that the existing trees bordering the site will be retained as part of the proposal. The transport statement includes details of a speed survey undertaken along Gypsy Lane to establish the visibility requirements from the existing access. Based upon the speed surveys it concludes that the available splays at the entrance to the site are sufficient and accord with advice set out in Technical Advice Note (TAN) 18 : Transport (2007).

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 a 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 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 numerous letters of objection from neighbouring residents as well as the local member for the ward and Llangennech Community Council. The issues raised are appraised below.

A common ground of objection amongst respondents is that the site's potential as a gypsy and traveller site was considered as part of the preparation of the LDP where it was deemed to be unsuitable on the basis of its location outside the development limits and the impact upon highway safety. Many refer to the narrowness of Gypsy Lane and the substandard nature of its junction with the A4138 as well as its ability to safely accommodate the additional traffic generated by the proposal.

By way of background to the site's consideration as part of the LDP process, the Authority's Housing Service undertook an accommodation needs assessment for gypsies and travellers back in 2012 which identified a requirement for a new site to be located within the Llanelli area for those gypsies and travellers who have long established links to the area. In light of the findings of this assessment, the Planning Authority undertook a consultation exercise in January 2013 inviting land owners, developers and other interested parties to put forward sites for consideration and potential inclusion in the LDP. Three sites were submitted as part of the process which included land at Gypsy Lane with the others being located in Bynea and Dafen. The Authority subsequently undertook a consultation in respect of the three sites before deciding on their suitability for inclusion in the LDP.

Following consideration of the sites and the consultation responses received, all three sites were deemed to be unsuitable as gypsy and traveller sites. The site at Gypsy Lane was deemed unsuitable on the basis of its countryside location and visual impact upon the character of the area as well as the significant increase in traffic movement at its junction with the A4138.

However, it is noteworthy that the site considered as part of this LDP process was significantly larger than the current application site in that it included the entire field enclosure extending down to the junction of Gypsi Lane with the A4138. The site measured some 0.8 hectares in area compared to the 0.2 hectare area of the current application site. The significant reduction in the size of the site and modest number of caravans currently proposed will mean that the proposal will not be visually prominent from public vantage points. Although it will be contiguous with the site's boundary with Gypsy Lane, the existing trees and hedgerows will provide roadside screening that will mean it will be reasonably unobtrusive to those travelling along the road. Similarly, the separating distance to the A4138 combined with the roadside screen of trees and hedgerows along its route will safeguard against any unacceptable visual impacts. Moreover, the provision of a new landscape framework along the southern boundary of the site as part of the proposal will, over time, supplement and reinforce the existing screening.

Whilst it is acknowledged that the site lies in a rural setting to the north of the A4138, it is nevertheless located on the outskirts of the built form of Llangennech. Circular 30/2007 provides that gypsy sites on the outskirts of built up areas may be appropriate providing they are of an appropriate scale so as not to dominate the nearest community while they may also be found in rural or semi rural settings where there are no specific planning or other constraints. The application site is not located in an area that is subject to any landscape or environmental designation and it is not considered that the proposal will have an unacceptable effect on the character and appearance of the area. Furthermore, the modest scale of the proposal will ensure it will not dominate the village of Llangennech. In this regard, it is in accord with the objectives of policies H7 and GP1 of the LDP and the Circular.

Tuning to the issue of highway safety, having considered the findings of the transport statement submitted in support of the application the Head of Transport has offered no objection to the proposal from a highway safety perspective. The highway network serving the site is considered to be adequate to serve the proposal without causing detriment to highway safety or neighbouring farms and businesses. Moreover, sufficient visibility exists along the highway verge either side of the site to ensure that vehicles can safely egress 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.

Concerns that large vehicles visiting the site in association with commercial activities will be addressed with the imposition of a condition on any permission granted precluding the business use of the site and the parking of large commercial vehicles. This will also protect the surrounding area from potential visual and noise intrusion. Suggestions that the proposal will cause amenity and privacy impacts to neighbouring residents are misjudged in that the nearest neighbouring property is located some 160 metres to the north of the site. Similarly, it is not envisaged that the proposal will impact upon the welfare of animals grazing surrounding fields. The proposal is therefore in compliance with the requirements of policies GP1 and H7 of the LDP in that it will not be detrimental to nearby residents and land uses.

As to the concerns regarding the accessibility of the site to local schools and facilities and the lack of pedestrian facilities. The location of the site to the north of the A4138 and the absence of footways means that the occupiers of the site are likely to rely on a car to access most day to day services. However, the advice contained in Circular 30/2007 promotes a more pragmatic approach to car borne journeys in relation to gypsy site uses. It advises that the over rigid application of national or LDP policies that seek a reduction in car borne travel would not be appropriate as they could be used to effectively block proposals for any gypsy and traveller sites in rural locations.

The location of the site performs well against the objectives of the first criterion of Policy H7 of the LDP in that it is close to the village and easily accessible to its range of services and facilities which include schools, a surgery and chemist as well as numerous shops. Furthermore, it is close to main transport routes both in terms of the A4138 and the M4 which is located just 1km to the east of the site. The occupiers will also therefore have easy access to the higher order facilities available in the wider area.

The children who will reside in the development currently attend Bynea CP School and the applicant has confirmed that this will continue should permission be granted. The distance

involved will mean that the children will be transported to the school by car on a daily basis whereby there will be no requirement for them to cross the A4138 on foot as suggested by a number of respondents.

Concerns regarding the extent of the curtilage of the site have been addressed as part of the application process in that the highway verge fronting the entrance has been included within the application site and notice served on the Authority as the relevant landowner. Suggestions that the application is invalid are unfounded in that the information submitted accords with the relevant statutory requirements. The application has also been publicised in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

In terms of the amenities required to serve the development, foul drainage will be disposed of via a private sealed cesspit or septic tank while Welsh Water have raised no objection to the proposal from a water supply perspective. Furthermore, there appears to be no reason why an electricity supply could not be provided to the development. The proposal is not therefore in conflict with the requirements of Policy H7 in this regard.

The Authority's Planning Ecologist has raised no objection to the application from an ecological perspective. With regard to the suggested presence of mineshafts within the area, the nature of the proposal means that it will not involve significant engineering or ground works or any permanent structures whereby any former mineworkings in the area will be unaffected by the proposal.

Matters relating to the devaluation of neighbouring property prices and damage to properties are not material planning considerations.

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 has recently been approved by the Welsh Government. Notwithstanding this there are 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 Housing Service is currently considering the feasibility of reinstating these pitches to a habitable standard to meet the identified need in the Llanelli Area, however, this provision would not be suitable for the applicant and his family based upon their previous experience of living on the site. Cultural differences between the family's Welsh gypsy traditions and those of the Irish traveller community that presently occupy the site resulted in tensions and violence which culminated in the applicant and his family having to move from the site to housing and other accommodation in the Llanelli area.

In the absence of the availability of a suitable existing site or allocation, the applicant is seeking to establish a new privately owned site that will meet his family's accommodation needs and allow them to return to their traditional nomadic lifestyle. The family have long established links with the Llanelli area having previously lived on the Penybryn site and more recently in housing accommodation with the children also attending local schools. The proposal accords with the policy requirements of the LDP and Circular 30/2007 in that it is accessible to a range of facilities and services, will not be detrimental to the amenity of nearby residents and land uses and is capable of being serviced with the required amenities and infrastructure. Furthermore, the modest scale of the proposal will safeguard against any unacceptable visual impacts and the Head of Transport has raised no objections from a highway safety perspective.

Any permission granted will be conditioned to restrict the occupation of the development to gypsies and travellers as defined in the Circular. Moreover, in the interests of protecting the surrounding area from potential visual and noise intrusion further conditions will be imposed restricting the number of caravans on the site to six and to prevent commercial activities taking place.

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 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the details shown on the following schedule of plans :
 - 1:500 and 1:2500 scale location and block plans (REV – OCT 2017) received on 16 October 2017.
 - 1:500 scale tree survey plan received on 8 March 2017.
- 3 The site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 3 of Circular 30/2007 'Planning for Gypsy and Traveller Caravan Sites'.
- 4 No more than 6 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.
- 5 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.
- 6 No development or site clearance works shall take place until a scheme for the protection of the existing trees and hedgerows bordering the site, as shown on the 1:500 scale tree survey plan received on 8 March 2017, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out throughout the course of the development.

- 7 The landscaping scheme shown on the 1:500 scale block plan (REV – OCT 2017) received on 16 October 2017 shall be carried out in the first planting season following the commencement of the development 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.
- 8 No development shall commence until details of a scheme for the disposal of foul water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the development and retained in perpetuity.
- 9 Prior to its use by development traffic, the new access road shall be laid out and constructed with a minimum 5.0 metre carriageway 6m metre kerbed radii at the junction with the U2301 road.
- 10 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.
- 11 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5.0 metres from the nearside edge of the carriageway.
- 12 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole U2301 road frontage within 2.4 metres of the near edge of carriageway.
- 13 The parking spaces and layout shown on the plans herewith approved shall be provided prior to the occupation of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 14 The site access road shall be hard-surfaced for a minimum distance of 5.0 metres behind the nearside edge of highway in materials which shall be subject to prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.

REASONS

- 1 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.
- 4,5 In the interests of visual amenity and safeguard the amenity of adjacent occupiers and land users.
- 6,7 In the interests of visual amenity and to protect existing landscape features.

8 To ensure the development is drained in an acceptable manner and to prevent the pollution of the environment.

9-14 In the interests of highway safety.

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).

Mae'r dudalen hon yn wag yn fwriadol

Application No	W/36194
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Application Type	Full Planning
Proposal & Location	DEMOLITION OF BUNGALOW AND CONSTRUCTION OF A REPLACEMENT DWELLINGHOUSE & GARAGE (RESUBMISSION OF W/35643) AT SWN Y MOR, FERRYSIDE, SA17 5RS

Applicant(s)	MR I NOON AND MRS W VAUGHAN-PUGHE, SWN Y MOR, FERRYSIDE, CARMARTHEN, SA17 5RS
Agent	JCR PLANNING LTD - RICHARD BANKS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Richard Jones
Ward	St Ishmael
Date of validation	26/09/2017

CONSULTATIONS

St. Ishmaels Community Council – No response received to date.

Local Members - County Councillor L M Stephens has requested that the application is reported to Planning Committee. The material planning reasons given by the local member areas follows:

- The footprint of the development has not changed.
- The road that this development is in has a mix of houses of many different scales.

Neighbours/Public - The application has been publicised by the posting of a Site Notice adjacent to the application site and the adjoining neighbouring dwellings have been consulted by letter. One letter of Support has been submitted by the occupier of the neighbouring dwelling to the west, Towy Hill. This is summarised below:

- I do not agree with the case officer's interpretation of the perceived effects the replacement dwelling house is adjudged to cause to my outlook and amenity.
- The footprint of the proposed house is broadly similar to the existing bungalow and there will be no overlooking from first floor windows.
- A new hedge is proposed on the boundary.
- The proposed dwelling's hipped roof design will lessen the overall effect of the dwelling.

- The existing leylandii will also serve to protect amenity.

RELEVANT PLANNING HISTORY

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

W/35643	Demolition of the existing bungalow and its replacement with a two storey detached dwelling with subterranean garden room and store. The proposals also include the construction of a domestic garage Full Planning Refused	28 July 2017
D4/8162	Siting of residential development Full Planning Refused	18 November 1982
D4/26	Residential development siting Full Planning Refused	29 July 1974

APPRAISAL

This application is being reported to committee at the written request of the local member for the Llandyfaelog ward. The request has been accompanied by material planning reasons. A site visit was requested by the local member and was agreed by the Planning Committee at 16th November 2017 meeting.

SITE

The application site comprises the existing curtilage of Swn y Mor, a detached bungalow set within a generous L shape plot of land. The north and north western half comprises the amenity area of the property and is lower in land level compared to the southern half of the plot where the existing dwelling is located.

The property is located along a residential street (Tripenhad Road) which has a mix of housing types and scales. The street has an elevated position above the settlement of Ferryside and most dwellings have views of the Tywi estuary to the north and west. Dwellings are elevated above one another given the rising nature of Tripenhad Road and this is the case currently with the application dwelling being some 3.3m above the dwelling to the west (Towy Hill). The neighbouring dwelling to the east is elevated above the application dwelling.

Planning permission for the demolition of the bungalow and construction of a two storey dwelling on the bungalow's footprint (W/35643 refers) was refused planning permission under officer delegated powers on 28th July 2017 for the following reasons:

The proposed replacement dwelling by virtue of its mass, scale, positioning of habitable room windows and elevated siting relative to the neighbouring dwelling of Towy Hill will have an unacceptable significant impact in terms of overlooking and appear physically overbearing upon the occupiers of this dwelling to the detriment of the residential amenities of its occupiers. This impact will be most significant when viewed from the private amenity spaces associated with Towy Hill.

PROPOSAL

Full planning permission is sought for the demolition of the existing bungalow on site and its replacement with a two storey dwelling and garage. The proposed dwelling will be sited on the footprint of the existing bungalow but with the principle (front) elevation of the proposed dwelling rotated from the current position facing west to one that faces south in the direction of Tirpenhad Road, albeit set back some 24m from the highway.

The proposed dwelling will measure 12m in width, a length of 14.5m and will have a variable height of between 8.1m and 10.5m owing to the split level design. Notable features in the design of the dwelling will comprise a hipped roof, bay windows and canopy on the front elevation and a 2 storey flat roof extension with roof balcony above on the rear elevation that will face the Tywi estuary. The proposed dwelling will cover the built footprint of the existing dwelling whilst also overlapping it due to its greater size. The larger dimensions of the proposal will bring it closer to the boundary with the neighbouring dwelling at Towy Hill to the west.

A double detached garage sited between the proposed dwelling and Tripenhad Road and close to the boundary with Tripenhad will measure approximately 7.7m in length by 5.5m in width and constructed with a hipped roof measuring 4.5m in height

The design, siting and scale of the dwelling submitted for assessment remains unchanged from the previously submitted scheme, save for the removal of a first floor bedroom window in the western flank elevation that faced the bungalow at the lower level - Towy Hill.

PLANNING POLICY

The application site is located within the defined settlement limits of Ferryside as delineated in the Adopted Carmarthenshire Local Development Plan (LDP), 2014.

In respect of the applications policy context reference is drawn to the following Strategic and Specific planning policies: -

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

Policy SP3 of the LDP refers to the settlement framework and states that provision for growth and development will be at sustainable locations in accordance with the LSP's settlement framework. In this respect Llanelli is identified as a Growth Area.

Policy SP17 of the LDP states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 of the LDP 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 GP2 of the LDP states 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 GP4 of the LDP 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 H2 of the LDP states that proposals for housing developments on unallocated sites within development limits of a settlement will be permitted provided they are in accordance with the principles of the plan's strategy and its policies and proposals.

Policy TR3 of the LDP highlights the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Policy EQ4 of the LDP 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 where exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made.

ASSESSMENT

Although the proposed dwelling is over double the size of the existing bungalow it intends to replace, its design and scale is consistent with the mixed character of Trippenhad Road which comprises detached single and two storey dwellings. On this basis the proposal will not present any detrimental harm upon the character and appearance of the area.

The proposal will involve the demolition of the existing bungalow therefore a bat survey has accompanied the application to assess whether protected species will be affected in the event that the development is approved and the existing bungalow demolished. The submitted bat survey found no signs of bats roosting within the building proposed for demolition. The surveyor states that the building holds low potential to be used by bats. The Council's planning ecologist has raised no objection subject to standard ecological advice notes.

Given that the proposed access into the site off the public highway will remain the same, whilst sufficient area for parking and turning will be provided, there are considered to be no highway safety concerns associated with the proposed development.

Notwithstanding the above, it is considered that the applicant has failed to fully address the reason for refusal relating to the previously determined application (W/35643). The mass, siting and design of the dwelling remains unchanged (other than the removal of the first floor window) and whilst the applicant proposes to plant a laurel hedge along the common

boundary with Towy Hill, it is not considered that this will fully screen the presence of the dwelling and its associated impacts when viewed from the private amenity areas of Towy Hill.

The existing dwelling maintains a distance of approximately 8.1m from the boundary with Towy Hill to the west and faces its side and rear amenity space. The proposed dwelling will be positioned closer to Towy Hill with the separation distance decreasing from 8.1m to 5.8m when compared to the existing dwelling. The proposed dwelling will also be taller in height (approximately 8.1m) and positioned 3.2m higher than the garden area of Towy Hill. Therefore the proposed dwelling will appear in excess of 11m from the neighbouring garden and only maintain a distance of 5.8m. The scale of the dwelling, coupled with the separation distance will result in an overwhelming impact upon the occupiers of Towy Hill when they are utilising the side and rear areas of their garden. The current bungalow is a smaller property in terms of scale and height, is positioned further away and has a roof that rakes away from Towy Hill. This will not be the case with the proposal.

The applicant's agent has attempted to downplay the impact by suggesting that the neighbouring occupiers at Towy Hill have their main garden space to the front of the curtilage, when this is clearly not the case. The case officer noted when inspecting the site that private garden areas are located immediately adjacent to the rear elevation (north west) and side (north) elevations and have seating which faces the Towy estuary and sea beyond to the north and west. It is acknowledged that whilst the proposed laurel hedge planting will afford some screening of the proposed dwelling from Towy Hill if you were standing immediately adjacent to the boundary, however, it will not totally remove the appearance of the proposal when viewed from the majority of the private garden area.

Despite the above concerns, it is considered that the proposal will not have an unacceptable impact on the dwelling to the north (Tripenhad) given that it is at a lower ground level and orientated to ensure no unacceptable impact in terms of loss of privacy.

THIRD PARTY REPRESENTATIONS

One letter of support has been submitted by the occupier of the dwelling to the west, Towy Hill. It is noted from the comments submitted that the neighbour does not consider the proposal will result in a loss of amenity and outlook, however, the officer's report and slide presentation provides sufficient evidence in the officer's view that it will and be contrary to policy. On this basis these points which are outlined in the main body of the report will not be repeated.

It is not considered that the proposed hedge will provide sufficient mitigation for Towy Hill given the scale of the proposed dwelling and the elevated position of the site.

The dwelling's hipped roof design will not reduce the impact as the proposal will be sited closer to the boundary and have a higher eaves level than the existing bungalow therefore increasing its massing and contributing to the unacceptable impact of the proposal upon Towy Hill.

CONCLUSION

In conclusion and having regard to all material planning considerations, the proposed dwelling is considered to have an unacceptable impact upon the amenities of the occupiers of Towy Hill when viewed from the private amenity space of this property by

virtue of its elevated siting, scale, mass and separation distance. The landscape mitigation proposed along the common boundary will not overcome the physical overbearing impact Towy Hill will experience. Refusal is recommended.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy GP1 of the Carmarthenshire Local Development Plan (December 2014) in that:

Policy GP1 Sustainability and High Quality Design

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

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

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

The proposed replacement dwelling by virtue of its mass, scale, elevated siting and close proximity to the neighbouring dwelling of Towy Hill will appear overwhelming physically and in doing so have a significant and unacceptable overbearing upon the occupiers of this dwelling to the detriment of their residential amenity. This impact will be most significant when viewed from the private amenity spaces associated with Towy Hill.

Mae'r dudalen hon yn wag yn fwriadol

Application No	W/36197
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Application Type	Full Planning
Proposal & Location	RETENTION OF USE OF PART OF DWELLING HOUSE AS A HAIRDRESSING & BEAUTY SALON AT PIBWR MILL, BOLAHHAUL ROAD, CWMFFRWD, CARMARTHEN, SA31 2LW

Applicant(s)	MRS J TURNER, PIBWR MILL, BOLAHHAUL ROAD, CWMFFRWD, CARMARTHEN, SA31 2LW
Agent	JCR PLANNING LTD - RICHARD BANKS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Richard Jones
Ward	Llangunnor
Date of validation	26/09/2017

CONSULTATIONS

Head of Transport – Recommends that the application be refused on the following grounds:

- The traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road.
- The dimensions of the site appear to be insufficient to accommodate feasible turning area facilities within its curtilage.
- The proposed development would lead to increased pedestrian movements along a section of road with no pedestrian facilities.
- The proposed development is contrary to Carmarthenshire Local Development Plan Policy TR3 (a, c and e).

Natural Resources Wales – NRW have responded as follows:

The proposed development lies within zone C2 as defined by the development advice map referred to under Technical Advice Note (TAN) 15 Development and Flood Risk (July 2004). Our Flood Map information also confirms the site is at risk of flooding. However, we do acknowledge that the application is purely for the change of use of part of a dwelling

house to a hairdressing & beauty salon, which would be considered low vulnerability under TAN 15. Due to the scale of the development we do not consider that a flood consequence assessment is required in this case. The applicant should be made aware of the potential risk of flooding to the site.

Llangunnor Community Council – No objection raised.

Local Members - County Councillor Elwyn Williams has requested that the application is reported to Planning Committee. The material planning reasons given by the local member are as follows:

- 1 This small business is established in part of a detached house, and is a very small in scale and nature, catering for the hairdressing needs of local residents. The applicant resides at the property.
- 2 The property shares an access onto Bolahaul Road with seven other properties, together with a scaffolding storage business. The additional traffic generated by a small home-based business will be minimal and indistinguishable to the total traffic associated with the existing residential properties. Some customers actually visit the property on foot, from their nearby residences.
- 3 The business has been trading for some two years with no difficulties or problems reported. The applicants pay due regard and respect to the well-being of their neighbours, and ensure there is no indiscriminate parking, or use of the “salon” at unsociable hours.

Neighbours/Public - The application has been publicised by the posting of a Site Notice adjacent to the application site. One letter of objection and one letter of support have been submitted, and these are summarised below:

Letter of Objection

From the occupier of Pantyrhodyn:

- Concerns about bringing 200 vehicles a week to this small residential area.
- Since the new owners bought the Mill, they have completely transformed the entire downstairs into a Hair Salon. With 3/4 cutting stations. Concern regarding the scale of the business with 4 members of staff and 4 customers being witnessed at the premises at the same time.
- Vehicles reversing out of their drive onto the track has been a problem as drivers then tend to drive on to our drive to turn round. Three times our wooden gates have been driven into, twice I believe it to be Salon customers.
- Concern that customers are parking and turning on land outside the premises and on neighbouring land.
- Poor visibility at the junction with Bolohaul Road onto what is a very fast road.
- Increase in traffic using a narrow land.
- Unsuitable for a commercial premises in a residential area.
- The objector estimates that based on the 3 cutting stations, each only having one customer an hour, plus the massage room, comes to a possible 32 cars a day, and that is if they only do 1 cut per hour per station.
- I have counted 13 vehicles parked in and around my land and the mill. It's not just the customers having their hair done, it's the ones waiting/deliveries and potential

customers arriving as well. There isn't room at the Mill to accommodate more than 3 cars.

- Some vehicles have reversed onto Bolahaul road and have been seen parked on the road.
- Impact on property values due to the proximity of this business and associated problems.
- The business generates a significant of refuse waste – up to 50 bags placed on the roadside.
- Concern that if approved the business will expand and exacerbate activity and vehicular movements.

Letter of Support

- The hairdressing business employs a part time hairdresser and it is in a very convenient location.
- Clients with disabilities have ample on site car parking which makes it far more convenient and accessible than other premises in Carmarthen.
- The staff provide a highly skilled, professional and friendly service to the community.

RELEVANT PLANNING HISTORY

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

D4/8236	Extension to dwelling Full Planning Permission	18 May 1981
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APPRAISAL

This application is being reported to committee at the written request of the local member for the Llangunnor ward. The request has been accompanied by material planning reasons.

SITE

The application site comprises part of a detached residential dwelling located off Bolahaul Road. The dwelling is a traditional structure in terms of its scale and design and is surrounded by a small group of outbuildings which were formerly part of a mill. All the structures including the dwelling face a central courtyard area which is used for access and parking within the curtilage.

The application site is accessed off Bolahaul Road and then from an unmade track of variable width which serves the property. A total of 8 properties and a scaffolding business derive access off Bolahaul Road and use the unmade track to access their properties.

The cluster of dwellings within which the application site forms part of is located roughly equi-distant between the Carmarthen outlining communities of Llangunnor and Cwmffrwd.

PROPOSAL

Full planning permission is sought for the retention of a hair and beauty salon in part of the detached property known as Pibwr Mill. The area taken up by the salon within the dwelling will amount to 27m² and will comprise a hair salon with four cutting stations at ground floor. The first floor roof space will contain a beauty therapy room. The salon has been in operation for two years and currently has 2 members of staff. There is a courtyard area to the south of the salon has space for up to 4 vehicles. This is also used by the residents of the dwelling.

The applicant has indicated that the salon is open 4 and half days a week, being closed on Sundays and Mondays and Saturday afternoon. The applicant has not indicated the opening hours of the salon but refers in the supporting statement to it being operational during normal daytime hours. Current activity levels according to the submitted statement comprise a maximum of 6 appointments a working day, with customers arriving either by car or foot.

It was not evident from the inspection of the site that any external structural changes have taken place as a result of the unauthorised use, although some signage was evident within the curtilage of the property.

PLANNING POLICY

The following policies are considered relevant in relation to the proposal:

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

Policy SP3 of the LDP refers to the settlement framework and states that provision for growth and development will be at sustainable locations in accordance with the LSP's settlement framework. In this respect Llanelli is identified as a Growth Area.

Policy SP17 of the LDP states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 of the LDP 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 H10 of the LDP relates to Home Working and where permission is required proposals will be permitted where it can be demonstrated that the proposal would be compatible with adjacent land uses and that it would not result in any adverse impacts on local amenity and/or character of the area.

Policy TR3 of the LDP highlights 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.

ASSESSMENT

Turning firstly to the impact upon highway safety, the Head of Transport has inspected the site and the proposal details. Following this a number of concerns with regard to the use at this location.

When leaving the application site by car, customers have to egress back onto Bolahaul Road. The visibility at the junction is very limited to the right side and vehicles emerging onto the highway will be using an unsuitable access that falls short of the accepted standard. Approving this development will encourage further vehicles to use an already unsuitable access and could be detrimental to highway safety.

The Head of Highways has also indicated that the turning area associated with the parking provided on site appears to be of insufficient dimension to accommodate a feasible turning area within the site curtilage.

Finally it has been noted from the Highway Officer's site inspection that sections of the road leading to the site are devoid of a pedestrian footway. If customers are currently walking to site for appointments as indicated in the applicant's supporting statement they are doing so on a road with no pedestrian facilities. This is considered detrimental to the safety of pedestrians and motorists alike and allowing the use will perpetuate this.

In terms of the impact upon residential amenity, whilst it is not considered that the proposal will result in any loss of privacy or that the use results in harmful noise/ disturbance, the nature of this commercial use with associated movements during the day will be out of keeping with the residential character of the area. The highway safety impacts generated by the use are considered to result in unacceptable impacts to local residential amenity. Furthermore it is considered that the proposal represents a commercial use located in an unsustainable location. The use would be more appropriate in a town or nearby settlement and grouped with other commercial uses served by adequate parking, access and transport modes

Notwithstanding the above concerns, there are no further material planning objections considered in respect of the proposal.

THIRD PARTY REPRESENTATIONS

An objection letter and letter of support have been received.

The points raised in the letter of support are acknowledged, however, whilst there is considered convenient parking for those who are disabled the turning facilities are considered to be below standard. The letter of support also points to the site having a convenient location for those living nearby. This may be the case but it does not outweigh the concerns outlined above.

Turning now to the letter of objection. The concerns relating to highway safety, parking and turning are acknowledged and have already been addressed. The scale of the business and its location within a residential area is also noted and this is also a concern of officers given that the vehicular movements will intensify an already substandard access. The objector indicates that the use generates a significant amount more customer visits than is indicated in the applicant's supporting statement. The Council takes the information given by the applicant in good faith and has not received any evidence to the contrary to substantiate the numbers indicated by the objector. Finally concern has been

raised regarding the impact on property value. This is not a material planning consideration.

CONCLUSION

In conclusion and having regard to all material planning considerations, the retention of the hair and beauty salon is considered unacceptable in that it would be incompatible with the character of the surrounding area and have an adverse impact on local amenity, whilst having sub-standard visibility at the site access, lack of turning space within the site curtilage and lack of pedestrian facilities leading to the site. In view of the above refusal is recommended.

RECOMMENDATION – REFUSAL

REASONS

1. The proposal is contrary to Policy T3 of the Carmarthenshire Local Development Plan (December 2014) in that:

The design and layout of all development proposals will, where appropriate, be required to include:

- a. **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;**
- b. **Suitable provision for access by public transport;**
- c. **Appropriate parking and where applicable, servicing space in accordance with required standards;**
- d. **Infrastructure and spaces allowing safe and easy access for those with mobility difficulties;**
- e. **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;**
- f. **Provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run off from the highway.**

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

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

- The traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road and would therefore be detrimental to highway safety.

- The dimensions of the site appear to be insufficient to accommodate feasible turning area facilities within its curtilage.
 - The proposed development would lead to increased pedestrian movements along a section of road with no pedestrian facilities, to the detriment of highway safety.
2. The proposal is contrary to Policy H10 of the Carmarthenshire Local Development Plan (December 2014) in that:
Proposals for home working (where planning permission is required) will be permitted where it can be demonstrated that the proposal would be compatible with adjacent land uses and that it would not result in any adverse impacts on local amenity and/or the character of the area.

In that the hair and beauty salon is incompatible with this residential area by virtue of the associated customer movements, vehicular disturbance and intensification of the site access with Bolahaul Road which is considered to fall below highway design standards. These will result in adverse impacts to local amenity and the character of the area.

Mae'r dudalen hon yn wag yn fwriadol

Application No	W/35655
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF A TYRE RECYCLING WAREHOUSE WITH ASSOCIATED OFFICES, OPERATIONAL YARD, STORAGE COMPOUNDS AND ANCILLARY INFRASTRUCTURE AT LAND OFF ALLTYCNAP ROAD, JOHNSTOWN, CARMARTHEN, SA31 3QY

Applicant(s)	TD TYRE RECYCLING LIMITED, MID WAREHOUSE, OLD BRS DEPOT, ALLTYCNAP ROAD, JOHNSTOWN, CARMARTHEN,
Agent	JCR PLANNING LTD - RICHARD BANKS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Stuart Willis
Ward	Carmarthen South
Date of validation	12/06/2017

CONSULTATIONS

Head of Transport – Has responded recommending approval subject to a number of conditions.

Carmarthen Town Council – Has responded stating they have no objections to the proposal.

Local Member - County Councillor A Lenny is the Chair of the Planning Committee and has not commented to date

Local Member – Cllr G John has requested the Planning Committee carry out a site visit prior to determination of the application given the road safety concerns. The Local Member feels it is imperative that two fundamental issues are satisfactorily addressed:-

- Firstly that the proposed development fully respects the proximity of the existing residential properties and that stringent and enforceable conditions are put in place with regards maximum noise levels and stipulated operating hours.
- Secondly given the existing traffic issues along Alltynap Road there is a strength of feeling that consideration for planning permission for any industrial use on this site must be aligned with improved road safety and traffic calming measures involving

pavement etc. The need to simultaneously screen the proposed activities from view and provide an access that is in full view of traffic travelling up and down Alltynap Road will be problematic, especially as road safety is already such an issue. Access to and from the proposed site should therefore aim to enhance road safety at this location not increase concerns still further.

Land Drainage – Has commented that the front of the site and access is at risk of fluvial flooding. They acknowledge that as it is from a main river it falls within the remit of NRW. In relation to surface water drainage advice is given in the response and a condition recommended requiring full details of the drainage system to be submitted and agreed prior to construction.

Further to this response the applicant submitted additional information. They have confirmed that they are satisfied that the drainage design meets the necessary policy requirements. As such the condition requiring further details to be submitted and agreed is has been amended to one requiring the works to be carried out in accordance with the submitted details.

Dwr Cymru / Welsh Water – Has not raised any objection to the proposal. They have provided advice and details of the location of a pipe crossing the front of the site.

Natural Resources Wales – has responded confirming the applicants are registered as a T8 exemption with Natural Resources Wales for the Mechanical Treatment of End of Life Tyres. There is a limit on the number of tyres that can be stored and treated under this exemption. If the applicant wishes to increase the number of tyres handled or is unable to operate within the strict terms and conditions of the exemption, an environmental permit under The Environmental Permitting (England and Wales) Regulations 2010 will be required. The facility will require an environmental permit prior to operating.

Public Protection Division – Has commented in relation to a number of aspects of the proposal.

In relation to Air Quality the response has stated that the existing business premise is on the same industrial estate as the application site and whilst the business seeks to expand the increased vehicle movements associated with the business expansion is unlikely to be significant in terms of the existing vehicle numbers accessing the industrial estate. Llansteffan Road is the main access route to the estate and it is known to suffer severe congestion at peak periods with some vehicles travelling through the Carmarthen Air Quality Management Area (AQMA). The extra number of vehicles associated with the proposed development is unlikely to impact significantly on the AQMA, and it is hoped that the Carmarthen Western Link road will alleviate some of the congestion issues. The response also refers to environmental controls regulated by Natural Resources Wales. There is no objection and no conditions suggested.

In relation to noise there has been correspondence with the agent and their consultants regarding information provided in relation to noise and potential impacts from the development. Following this dialogue a number of planning conditions have been suggested.

Neighbours/Public - The application has been publicised by the posting of Site Notices with 1 response having been received to date raising the following matters:

- Reference is made to a mature planted “buffer zone” to screen the estate and query over its retention
- Questions over whether there would be any burning of tyres done at the site and what the proposed use entails

The responded subsequently confirmed that this was not an objection and that they had found the details within the submission.

Cllr Schiavone who is a Member for the adjacent Carmarthen West ward has commented that the applicant resides in his ward and he is aware that there have been attempts to relocate the business for a number of years due to the lack of space in the current location. He wished to express his support for the application. He has also requested to address the Planning Committee.

RELEVANT PLANNING HISTORY

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

W/09102	Proposed new offices and workshops Full planning permission	13 April 2006
D4/22463	Siting of residential development (regulation 5) County permission under regulation 4	30 June 1992
D4/22462	Siting of residential development (regulation 5) County permission under regulation 4	30 June 1992
D4/22461 -	B1/B8 development - light industrial warehousing offices (Regulation 5) Full planning refused	30 June 1992
D4/22460	B1/B8 development - light industrial offices warehousing (Regulation 4) Full planning refused	30 June 1992
D4/6395	Erection of a factory for the manufactures of interlocking concrete blocks Full planning refused	6 August 1979
D4/5576	Access Approved with conditions	14 February 1979
D4/4912	Formation of dual access Approved with conditions	11 July 1978

APPRAISAL

The application is presented to the Planning Committee as Carmarthenshire County Council have an interested in the site in terms of land ownership

THE SITE

The application site is an area of land currently part of a larger field enclosure without any buildings at present. The site is located at the western end of the Cillefwr Industrial Estate. The site is located off the southern flank of Alltynap Road in Johnstown, Carmarthen. Land and premises associated with the industrial estate are located opposite to the site and to the east. The site does not extend to the whole of the field with the undeveloped areas being to the south and west. To the west of the field itself there are residential properties. The land slopes towards the road and there is an existing vehicular access at the eastern end of the road frontage. There are trees and hedgerows to the field boundaries with a grassed verge between the front of the site and the road.

The site is located within development limits as delineated by the Carmarthenshire LDP. The field as a whole, and land opposite it to the north, form part of an allocation as Proposed Employment Land in the LDP.

THE PROPOSAL

The application seeks full planning permission for the construction of a tyre recycling warehouse with associated offices, operational yard, storage compounds and infrastructure.

The proposal would create a new access to the field on the eastern side of the frontage but further from the eastern boundary than the current one. The building is located centrally in the application site with the internal road surrounding the building. The initial access road is 5.5m wide narrowing to between 4.6m-4.8m internally. There is a row of parking spaces to the front of the building between the access road and the hedgerow along the frontage boundary. An area for external storage is shown at the rear of the building. The proposal would require alterations to land levels to create a relatively level site. A landscape bund is proposed to the western side of the site. A new profiled bank to the rear of the site is also proposed. A weigh bridge is located to the east of the building.

The proposed building would have a maximum height of 6.8m with a catslide roof 3.5m to the eaves on the front elevation and 4.6m to the rear elevation. The rear elevation of the building has the larger vehicle access doors with the front of the building having smaller openings. The footprint of the building measures 30.5m by 18.3m. The floor plan shows a workshop area to the eastern boundary and main part of the building being a warehouse. The front element of the building would accommodate offices and staff facilities. The roof would be covered in steel cladding with polycarbonate rooflights. The walls would be coloured profile sheet cladding also.

The application was accompanied by a Phase 1 Habitat Survey. A drainage report was also submitted. A Noise Impact Assessment was submitted during the application. Additional information was submitted during the course of the application in relation to the existing landscape features and proposed details. The proposals include retention of the roadside hedgerow/trees with 2m palisade fencing behind and retention of other trees on the eastern boundary. Additional planting/landscape works are proposed with the bund on the eastern side and planting on the new profiled bank behind the building.

The Company currently trades from an existing premises at the eastern extremity of the Cillefwr Industrial Estate, approximately 600 metres from the application. The Planning Statement gives further details of the nature of the activities at the premises stating the company specialises in the collection and safe disposal of waste tyres, and has operated from a base in the town of Carmarthen for more than 6 years. Currently approximately

9600 tyres per week are currently collected from customers, and returned to the Carmarthen depot for sorting. Tyres are sorted into categories with “green” tyres (worst condition of used tyre) classed as contaminated and thus are exported to an out-of-county incineration site, which represents a process converting waste to energy. Waste tyres that have no wiring exposed are baled and used in the construction industry. Waste tyres with exposed wiring are baled into “scrap bales” and are shipped and exported to South Korea for shredding and mixed with tarmac for road surfacing. Other tyres with certain degrees of tread remaining, with certain specifications such as makes and sizes, are shipped to Germany to a remoulding processing plant. Lorry tyres are cut into three pieces, the sidewalls are sold by TDTRL to farmers and used on silage pits replacing old waste tyres. The resultant tread is shipped to Lithuania and used for construction of blast mats. Tractor and Earth mover tyres are cut and also exported to South Korea for shredding and mixed with tarmac for road surfacing. It is stated that the Company need immediate relocated premises to cater for the additional tyre demand, and in doing so will be looking to recruit an additional 10 employees to implement this project. It is proposed to operate the yard between the hours of 07:00 to 19:00 Monday to Friday, and 07:00 to 13:00 on Saturdays, and not at any time on Sundays and Bank Holidays.

Additional information in relation to drainage at the site has also been submitted. Originally a condition was suggested by the Land Drainage Officer however the applicant wished to provide the information prior to determination.

PLANNING POLICY

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

Policy EMP3 Employment – Extensions and Intensification states that proposals for extensions and/or intensification of existing employment enterprises will be permitted provided that the development proposals are not likely to cause environmental damage or prejudice other redevelopment proposals, the proposal does not extend and/or intensify a use or activity that might result in adverse amenity issues, or may not be compatible, with neighbouring uses and that the development proposals are of an appropriate scale and form compatible with its location.

Proposals for the expansion of existing rural enterprises will be supported subject to the above provisions and the policies and proposals of this Plan.

SP14 Protection and Enhancement of the Natural Environment states development should reflect the need to protect, and wherever possible enhance the County’s natural environment.

SP2 Climate Change states that development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. In particular proposals will be supported where they comply with a number of criteria including adhering to the waste hierarchy and in particular the minimisation of waste, promote the efficient consumption of resources (including water), reflect sustainable transport principles and minimise the need to travel, particularly by private motor car, avoid, or where appropriate, minimise the risk of flooding including the incorporation of measures such as SUDS and flood resilient design, promote the energy hierarchy by reducing energy demand, promoting energy efficiency and increasing the supply of renewable energy and incorporate appropriate climate responsive design solutions

including orientation, layout, density and low carbon solutions (including design and construction methods) and utilise sustainable construction methods where feasible. Proposals for development which are located within areas at risk from flooding will be resisted unless they accord with the provisions of TAN 15.

Policy SP3 Sustainable Distribution – Settlement Framework states that the provision for growth and development will be at sustainable locations in accordance with the Settlement Framework identified in the LDP.

SP7 Employment - Land Allocations states that sufficient land is allocated for the provision of 111.13 hectares of employment land for the plan period 2006 – 2021 in accordance with the Settlement Framework.

Policy SP9 Transportation 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 reducing the need to travel, particularly by private motor car, addressing social inclusion through increased accessibility to employment, services and facilities, 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 and the use of locational considerations for significant trip generating proposals, with design and access solutions within developments to promote accessibility by non car modes of transport.

Transport routes, improvements and associated infrastructural facilities which deliver the objectives and priorities of the Regional Transport Plan for South West Wales will be supported. Furthermore, maintaining and enhancing good traffic flows and the attractiveness and viability of more sustainable transport modes which support the strategy and its sustainable objectives will also be supported. Development proposals which do not prejudice the efficient implementation of any identified improvement or scheme will be permitted.

Policy SP17 Infrastructure states that 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. Planning Obligations relating to developer contributions towards necessary infrastructure improvements may be sought subject to policy GP3.

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

Policy EQ4 Biodiversity states 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.

Policy EQ5 Corridors, Networks and Features of Distinctiveness requires proposals for development which would not adversely affect those features which contribute local distinctiveness/qualities of the County, and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity will be permitted.

Policy EP2 Pollution states that proposals for development should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate that they:

- a. Do not conflict with National Air Quality Strategy objectives, or adversely affect to a significant extent, designated Air Quality Management Areas (permitted developments may be conditioned to abide by best practice);
- b. Do not cause a deterioration in water quality;
- c. Ensure that light and noise pollution are where appropriate minimised;
- d. Ensure that risks arising from contaminated land are addressed through an appropriate land investigation and assessment of risk and land remediation to ensure its suitability for the proposed use.

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

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that *“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 would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community”* and *“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”*.

Policy TR3 Highways in Developments - Design Considerations outlines a number of matters to be considered included suitable access and parking and to ensure highway safety is not adversely affected for users of the roads/streets.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles. This relates to a number of factors including by distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements; promoting, where appropriate, the efficient use of land including previously developed sites; integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations; respecting, reflecting and, wherever possible, enhancing local character and distinctiveness; creating safe, attractive and accessible environments which contribute to people’s health and

wellbeing and adhere to urban design best practice; promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling; utilising sustainable construction methods where feasible; improving social and economic wellbeing; and protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.

Policy GP4 Infrastructure and New Development 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 (or an appropriate contribution is provided by) the developer.

The following TAN's are also applicable along with Planning Policy Wales:

- Technical Advice Note (TAN) 23: Economic Development (2014)
- Technical Advice Note (TAN) 12: Design (2016) are also of relevance.
- Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)
- Technical Advice Note (TAN) 11: Noise (1997)
- Technical Advice Note (TAN) 15 Development and Flood Risk (2004).
- Technical Advice Note (TAN) 18 Transport (2007);

THIRD PARTY REPRESENTATIONS

Turning to the representations received to date. No objections from any members of public or nearby residents have been received.

The one response that was received from the public—This raised questions over buffer vegetation and the nature of the activities at the site rather than objecting to the proposal. The respondent later confirmed that they did not wish for this to be treated as an objection and that they were satisfied that the questions had been answered in the documents submitted. The application is before the Planning Committee as the site is in the ownership of the Authority.

As noted above, concerns have been raised by one of the Local Members, Cllr G John. These relate to impacts on amenity of nearby residents and highways safety concerns.

In relation to the highway safety concerns the Head of Transport has requested amendments to the scheme as originally submitted. Several variations of the scheme have been submitted to overcome initial concerns with the latest revisions having been considered acceptable. The recommendation from the Head of Transport is that conditions be imposed on any permission. These are outlined later in the addendum. It should be noted that the vegetation to the roadside boundary is to be behind the required visibility splays to allow sufficient views for drivers. The existing levels of traffic along Alltynap Road are acknowledged however this is an area of land allocated for employment use in the Carmarthenshire LDP. The impacts on this development are what needs to be considered and assessed. Therefore what additional impacts would this development have on the road network which already serves the industrial estate, sports facilities and residential and farming sites further west. Overall it is not felt that this development would give rise to impacts of a scale to warrant refusal of the application.

Turning to impacts on amenity the report refers to consultation with Public Protection who have no objection to the proposal. The site is located at the western end of the estate and in within the last field between the estate and the residential properties further along Alltynap Road. Therefore the potential for impacts on amenity from noise and disturbance need to be taken in to consideration. A noise assessment was provided and the Public Protection Division have responded. There have been subsequent discussions regarding noise levels and hours of opening. The conclusion of these are that conditions are suggested. A bund is proposed along the western boundary of the site to screen the development in part and also to reduce noise. The layout of the access arrangements also directs traffic to the east rather than further west towards the residential properties. A condition is recommended limiting the external storage to the rear of the building as shown on the plans. The site is allocated for employment use and therefore the location considered to be acceptable in principle as part of the LDP process. The development is also located to the eastern part of the field, rather than the whole of it. This adds to the separation between the commercial and residential uses.

There may be some level of disturbance from the creation of the new premises however it is considered that the nature of the proposed use, in an allocated site, with the conditions suggested would prevent any significant impacts on amenity. The site is also set in from the western boundary closest to the residential properties.

Due to the changes in the layout of the site to attempt to address the issues raised from the Highways Officer amended plans have been submitted reflecting the impacts of these changes on the ecology and landscape considerations.

The site is located on land which is allocated as Employment Land in the Local Development Plan. The nature of the commercial use is one that sites within the LDP definition of employment uses. The use is considered to be a B1/B8 use being light industry and storage. The tyres are batched and stored at the site and no other works or treatments carried out at the site. There is no reference to tyres being burnt or other activities taking place. Therefore in principle the nature of the use is considered acceptable and complying with the LDP allocation.

The proposal sought pre-application advice where the need for supporting information was alluded to. This included information/details relating to highways considerations, drainage, landscape and ecology.

The scale of the building has increased in size since the pre-application. However it is still considered acceptable. The site does not comprise the whole of the field. The building is set back from the road frontage and set in from the western boundary of the site where the nearest residential properties are located. Overall the design of the building is considered appropriate and typical of such commercial buildings and of the wider industrial estate.

The proposal would involve works to land levels. Details have been provided in relation to ecology, landscape features and the change in levels required. It is indicated that the existing roadside hedgerow is to be removed and new planting to take place behind the visibility splay for the new access. Trees/hedgerow to the eastern boundary are located close to the proposed internal road. Details have been provided in relation to the works in this area. Planting is proposed on the new banks that would be created from the excavation works to the south and western ends of the site. A landscape bund is proposed along the western edge of the site. The development does not cover the whole of the field

and therefore the trees along the western boundary of the field are not affected or within the application site.

The land drainage section have responded requesting a condition to provide full details of the drainage scheme. Further details have been provided and the Land Drainage Section have confirmed these are acceptable.

The Head of Transport had not responded at the time of the report and therefore the recommendation is subject to a favourable response.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to a favourable response from the Head of Transport and the receipt of appropriate details relating to ecology/landscape.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
 - 1:500, 1:200 and 1:25 scale Proposed Landscaping and Fencing Plan (0072G)
 - 1:250 scale Hedgerow Survey (0078A)
received on 19th July 2017
 - Noise Impact Assessment
received on 15th June 2017
 - 1:200 scale Section (GENPL/RB/0078AR1)
 - Phase 1 Habitat Survey – May 2017
received on 1st June 2017
 - 1:500 scale Topographical Survey
 - 1:50 scale Ground Floor Plan (A101 B)
 - 1:100 scale Elevations (A102 B)
received on 22nd May 2017
 - Letter reference D/WD/P/1650 Francis Sant
received 26th September 2017

- Drainage Report (July 2017 Final Revision A)
 - Drainage Report Addendum received 9th August 2017
 - 1:500 scale Vehicle Swept Path for 16.5m Articulated Lorry Plan ref AP01 received on 10th November 2017
 - 1:1250 and 1:2000 scale Site Location and Layout (007DRS5) received on 15th November 2017
- 3 There shall be no external storage at the site other than on the area annotated as “external yard” on the 1:250 scale Site Layout Plan (007DRS5) received on 16th November 2017
 - 4 The rating level of the noise emitted from the proposed development shall not exceed the existing background noise level. The noise levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound. Where the background noise levels shall be expressed as LA90 1hr and the ambient noise levels shall be expressed at Laeq 1hr.
 - 5 If the authority receives a justified complaint with respect to the development, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment based upon the methodology of BS 4142: 2014 ‘Methods for Rating and Assessing Industrial and Commercial Sound’ to determine whether noise arising from development exceeds the level specified in condition 4 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Condition 4 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in condition 4. The development shall then be undertaken in accordance with the approved details.
 - 6 The earth bund as shown on the 1:500, 1:200 and 1:25 scale Proposed Landscaping and Fencing Plan (0072G) received on 19th July and the 1:2000 and 1:250 scale Site Location and Layout Plan (007DRS5) received on 16th November 2017 shall be put in place prior to the beneficial use of the building hereby approved and shall be retained in perpetuity.
 - 7 No felling and vegetation removal shall take place outside of the months September-February.
 - 8 The drainage scheme shall be implemented in accordance with the details provided in the reply from Francis Sant received 26th September 2017, Drainage Report (July 2017 Final Revision A) and Drainage Report Addendum received 9th August 2017 and be fully implemented prior to the beneficial use of the development hereby approved.
 - 9 Prior to its use by vehicular traffic, the new access road (one way system) shall be laid out and constructed as shown on submitted the 1:500 scale Vehicle Swept Path for 16.5m Articulated Lorry Plan AP01 Rev F received on 10th November 2017.

- 10 Prior to commencement of any part of the development, the Allt y Cnapp road fronting the entire site shall be widened as shown on 1:500 scale Vehicle Swept Path for 16.5m Articulated Lorry Plan AP01 Rev F received on 10th November 2017.
- 11 The existing means of vehicular access into the site shall be permanently stopped up, and the public highway reinstated prior to the new means of vehicular access herein approved, being brought into use.
- 12 The gradient of the vehicular accesses serving the development shall not exceed 1 in 10 up to the proposed gates, from the nearside edge of the carriageway.
- 13 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 59 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway. In particular there shall at no time be any growth or obstruction over 0.9m within this splay area.
- 14 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles
- 15 The site access road shall be hard-surfaced for a minimum distance of 25.0 metres behind the nearside edge of carriageway. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.
- 16 All vehicles shall enter the site via the northern access only and exit the site via the southern access only.
- 17 Prior to any use of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the entire site frontage with the Allt y Cnapp Road. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.
- 18 The approved Detailed Landscape Design Scheme, as defined in the following submitted documents: 1:500, 1:200 and 1:25 scale Proposed Landscaping and Fencing Plan (0072G), 1:250 scale Hedgerow Survey (0078A) received on 19th July 2017 and 1:1250 and 1:2000 scale Site Location and Layout (007DRS5) received on 15th November 2017 shall be fully implemented in the first available planting and seeding seasons following the commencement of development.

Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design Scheme which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

- 19 Prior to the commencement of any works associated with the development hereby approved, a Construction Exclusion Zone (CEZ) shall be established to protect the existing hedge line identified for retention to the eastern site boundary

The CEZ shall be defined by a barrier of a specification appropriate to exclude the degree and proximity of all construction phase operations. The barrier shall form a continuous length, aligned as follows: 4m of the edge extent of the hedge.

Any construction operations and access within the CEZ shall be limited to those undertaken in compliance with the recommendations of BS5837. The CEZ shall be enforced throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 In the interest of visual amenity.
- 4-6 In order to protect amenity levels for occupants of nearby dwellings.
- 7 To reduce any impacts on species or their habitats.
- 8 In order to prevent the increased risk of flooding and pollution by ensuring the provision of a satisfactory means of suitable surface water disposal.
- 9-17 In the interest of highway safety.
- 18 To ensure that the development respects, reflects, and enhances local character, distinctiveness; and gives due consideration to features which contribute to local distinctiveness and the landscape.
- 19 To ensure that existing trees and landscape elements of suitable quality and condition are retained and effectively accommodated and protected as part of approved development Hence, ensuring that the development retains, incorporates, and makes provision for the appropriate management of, existing landscape and important local features which contribute to local qualities and distinctiveness.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development complies with Policy GP1, TR3, EQ4, EQ5, SP17, SP1, SP14, GP4, EP1, EP2, EP3, SP9, SP14, SP3, and EMP3 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that on balance the proposal is acceptable. The site is located on land allocated for employment in the LDP. The proposal is to

relocate business currently operating from elsewhere on the estate to allow its expansion. It is not considered that the proposal would have a significant impact on the amenity of adjacent land uses, properties, residents or the community. There are no highway safety concerns. There are no objections in relation to ecology and sufficient information is provided in relation to landscape. The design and scale of the development is considered appropriate.

NOTES

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

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

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

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

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