

# Pecyn Dogfennau



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

**DYDD MERCHER, 30 IONAWR 2019**

**AT: HOLL AELODAU'R PWYLLGOR CYNLLUNIO**

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R  
**PWYLLGOR CYNLLUNIO A GYNHELIR YN Y SIAMBR, NEUADD Y SIR AM  
10.00 AM, DYDD IAU, 7FED CHWEFROR, 2019** ER MWYN CYFLAWNI'R  
MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

*Mark James* DYB

**PRIF WEITHREDWR**



**AILGYLCHWCH OS GWELWCH YN DDA**

<b>Swyddog Democrataidd:</b>	<b>Llinos Jenkins</b>
<b>Ffôn (llinell uniongyrchol):</b>	<b>01267 224088</b>
<b>E-bost:</b>	<b>ljsjenkins@sirgar.gov.uk</b>
<b>Cyf:</b>	<b>AD016-001</b>



**EICH CYNGOR arleinamdani**  
[www.sirgar.llyw.cymru](http://www.sirgar.llyw.cymru)  
**YOUR COUNCIL doitonline**  
[www.carmarthenshire.gov.wales](http://www.carmarthenshire.gov.wales)

# PWYLLGOR CYNLLUNIO 20 AELOD

## Y GRŴP PLAID CYMRU – 10 AELOD

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

## Y GRŴP LLAFUR – 6 AELOD

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

## Y GRŴP ANNIBYNNOL – 4 AELOD

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

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

# AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGAN BUDDIANNAU PERSONOL
3. RHANBARTH Y DWYRAIN - PENDERFYNU AR GEISIADAU CYNLLUNIO 5 - 18
4. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO 19 - 46
5. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU CYNLLUNIO 47 - 60
6. LLOFNODI YN COFNOD CYWIR COFNODION Y CYFARFOD A GYNHALIWDYD AR 10FED O IONAWR 2019 61 - 64

Mae'r dudalen hon yn wag yn fwriadol

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR  
AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 7 CHWEFROR 2019  
ON 7 FEBRUARY 2019**

**I'W BENDERFYNU/  
FOR DECISION**

*Ardal  
Dwyrain/  
Area East*



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

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

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>7 FEBRUARY 2019</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA EAST**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	<b>Page no.</b>
<b>E/37648</b>	<b>The construction of a proposed gated access to the site known as Penygroes Concrete Works along with associated drainage, accessed from the economic link road (under construction) and also the construction of a new agricultural access off the economic link road at Penygroes Concrete, Norton Road, Penygroes, Llanelli, SA14 7RU</b>	<b>9</b>

**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>E/37648</b>
-----------------------	----------------

<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	THE CONSTRUCTION OF A PROPOSED GATED ACCESS TO THE SITE KNOWN AS PENYGROES CONCRETE WORKS ALONG WITH ASSOCIATED DRAINAGE, ACCESSED FROM THE ECONOMIC LINK ROAD (UNDER CONSTRUCTION) AND ALSO THE CONSTRUCTION OF A NEW AGRICULTURAL ACCESS OFF THE ECONOMIC LINK ROAD AT PENYGROES CONCRETE, NORTON ROAD, PENYGROES, LLANELLI, SA14 7RU

<b>Applicant(s)</b>	HEAD OF PROPERTY - JONATHAN FEARN, ENVIRONMENT DEPARTMENT, CARMARTHENSHIRE COUNTY COUNCIL, CARMARTHEN, ,
<b>Agent</b>	ENGINEERING DESIGN SECTION - ADRIAN HARRIES, ENVIRONMENT DEPARTMENT, CARMARTHENSHIRE COUNTY COUNCIL, CARMARTHEN, SA31 1HQ
<b>Case Officer</b>	Andrew Francis
<b>Ward</b>	Penygroes
<b>Date of validation</b>	09/08/2018

## CONSULTATIONS

**Head of Transport** – No objections to the proposal.

**Dwr Cymru Welsh Water** – No objections to the proposal.

**Coal Authority** – No objections to the proposal

**Llandybie Community Council** – No comments received to date.

**Local Member** – County Councillor D Thomas comments that the proposed access is to the rear of existing residential properties which will mean increased heavy vehicle movements. In addition there are already serious issues with dust from the concrete works and complaints to the Council and the owners have not resolved the situation. The dust blows over the existing fence. If approved, the lorries should be sprayed on entry and egress to minimise dust and the fence/screening should be raised to prevent dust and increase soundproofing. If these modifications are not to be provided, Cllr Thomas **objects to the proposal**.

**Neighbours/Public** – The application was advertised by means of a Site Notice. Two letters of objection have been received as a result. The points of objection are summarised as follows:

- The new link road will have a negative impact on the occupiers of the adjacent properties' quality of life. By having this new entrance within 15 metres of a dwelling will make the situation worse.
- Over many years the neighbours of the Concrete Works have sought the co-operation of the Works to mitigate its effects. However, over time the noise pollution has worsened significantly and there has been an increase in out of hours working.
- Additionally, the site owners have consistently failed to mitigate the effect of dust pollution emanating from the site. The nearby homes are permanently blanketed in a layer of concrete and cement dust, which is likely to be detrimental to health. This will be worse if the proposed access is approved as the lorries will pass closer to properties. With noise generation as well, the gardens of the nearby properties will effectively be unusable during working hours.
- If approved, there would need to be, at the very least, effective measures in place to mitigate against the worst effects of increased noise and dust pollution and these requirements are properly enforced.
- The proposed access and site footprint increase is onto a green field area with the removal of native hedges. This is not a necessity. The green field area should be preserved and the Concrete Works should continue to use their existing Norton Road entrance.

## **RELEVANT PLANNING HISTORY**

E/36365 -	DISCHARGE OF CONDITION 3 ON E/32266 (SURFACE WATER ATTENUATION PONDS) Discharge of Planning Condition Granted	04/01/2018
E/36364 -	DISCHARGE OF CONDITION 20 ON E/32266 (SCHEME TO ERADICATE AND PREVENT THE SPREAD OF INVASIVE SPECIES) Discharge of Planning Condition Granted	04/01/2018
E/36363 -	DISCHARGE OF CONDITION 19 ON E/32266 (INTRUSIVE SITE INVESTIGATIONS) Discharge of Planning Condition Granted	04/01/2018
E/36362 -	DISCHARGE OF CONDITION 17 ON E/32266 (LONG-TERM ENVIRONMENTAL MANAGEMENT PLAN FOR DOOR MICE) Discharge of Planning Condition Granted	04/01/2018
E/36361 -	DISCHARGE OF CONDITION 16 ON E/32266 (METHOD STATEMENT) Discharge of Planning Condition Granted	11/12/2017

E/36360 -	DISCHARGE OF CONDITION 15 ON E/32266 (SCHEME OF INVESTIGATION) Discharge of Planning Condition Granted	04/01/2018
E/36359 -	DISCHARGE OF CONDITION 14 ON E/32266 (PROGRAMME OF ARCHAEOLOGICAL WORK) Discharge of Planning Condition Granted	24/11/2017
E/36358 -	DISCHARGE OF CONDITION 13 ON E/32266 (TREE PROTECTION PLAN) Discharge of Planning Condition Granted	04/01/2018
E/36357 -	DISCHARGE OF CONDITION 9 ON E/32266 (GEOENVIRONMENTAL TESTING AND CONTAMINATION ASSESSMENT) Discharge of Planning Condition Granted	04/01/2018
E/36356 -	DISCHARGE OF CONDITION 7 AND 8 ON E/32266 (CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN, WASTE MANAGEMENT PLAN) Discharge of Planning Condition Granted	09/01/2018
E/36355 -	DISCHARGE OF CONDITION 6 ON E/32266 (ECOLOGICAL CLERK OF WORKS HAS BEEN APPOINTED) Discharge of Planning Condition Granted	24/11/2017
E/36354 -	DISCHARGE OF CONDITION 4, 5 AND 18 ON E/32266 (ECOLOGICAL MANAGEMENT PLAN, ENVIRONMENTAL MASTERPLAN, MONITORING SCHEME FOR PROTECTED SPECIES) Discharge of Planning Condition Granted	04/01/2018
E/32266 -	PROPOSED DEVELOPMENT OF PHASE 2 OF THE CROSS HANDS ECONOMIC LINK ROAD BETWEEN THE EAST STRATEGIC EMPLOYMENT SITE AND THE A476 LLANDEILO ROAD WITH JUNCTIONS TO BLACK LION ROAD, NORTON ROAD AND LLANDEILO ROAD, ASSOCIATED DRAINAGE AND LANDSCAPING WORKS TOGETHER WITH THE DEMOLITION OF 2 PROPERTIES WITH ASSOCIATED GARAGES AT 99 AND 101 NORTON ROAD, PENYGROES Full Granted Payment Received (no S106)	17/10/2017

## THE SITE

The application site consists of two separate access points off the new Economic Link Road (ELR) that is currently under construction and which runs from Cross Hands in the south to Castell y Rhingyll in the north, dissecting the area near Penygroes Concrete Works off Norton Road, Penygroes.

The main proposed access point is situated 43 metres from the rear (north) of 101 Norton Road, 40 metres to the north east of the property known as Adef and some 82 metres along the route of the new ELR from its junction with Norton Road.

The second proposed access is more modest and is an agricultural field access. This is situated approximately 234 metres north of the Norton Road junction and would be off the western flank of the road.

The application also proposes a surface water drainage system. Originally, this was in the form of a swale situated on land immediately to the south of Adef. However, this has now been amended and will now drain into the surface water drainage system for the ELR, as shown on amended plans.

## **THE PROPOSAL**

This application seeks full planning permission to create two new vehicular accesses off the Cross Hands ELR currently under construction.

The first and main new access is proposed to serve Penygroes Concrete Works, a long established business currently accessed at a point adjacent to 85 Norton Road. The proposed access has been designed by the Highways Engineers from Carmarthenshire County Council. It provides a 7.3 metre wide access and a security gate set back at 20 metres supported by 600mm by 600mm pillars off the ELR's eastern flank. Associated with the new access are engineering operations to improve the land around the access for landscaping purposes and maximum practicality for the business.

The second smaller access is to serve the agricultural land off the western flank of the ELR. It is far more modest in scale at 4.6 metres in width and provides a typical agricultural gate set back some 12.7 metres off the edge of the highway.

The surface water drainage system proposed is shown to take water from the Concrete works Site and from land to the north, with a filter system employed before discharging it into the surface water system under construction for the ELR which has been deemed as acceptable by the Authority's Land Drainage Team.

## **PLANNING POLICY**

The development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 consists of the Carmarthenshire Local Development Plan (LDP) adopted in December 2014. The application therefore falls to be considered against policies GP1 and TR3 of the LDP are considered to be applicable.

Policy GP1 states that in this instance the development should take into account site contours and changes in levels; should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community; the access should not give rise to any parking or highway safety concerns; it provides for the satisfactory generation, treatment and disposal of surface and foul water and has regard for the safe, effective and efficient use of the transportation network.

Policy TR3 in this instance requires that the development has appropriate parking and servicing space in accordance with required standards, an appropriate access reflective of

the relevant class of road and speed limit and suitable drainage systems that dispose of surface water 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 residents will be permitted, as will proposals which will not result in offsite congestion where the road network capacity is sufficient. Finally, it should provide for Sustainable Drainage Systems (SuDS) to allow for the disposal of surface water run-off from the highway.

As the site is within 2km of the Caeau Mynydd Mawr Special Area of Conservation (SAC), policy EQ7 applies. This permits development where there is a commitment to promote and contribute to the delivery of the conservation objectives of the Caeau Mynydd Mawr SAC in line with the Habitats Directive. In this instance a contribution will be sought to contribute towards increasing the quality and amount of suitable habitat for Marsh Fritillary butterfly available within the SPG area. The contribution is based upon the site area of the development and equates to £31290 per hectare. As such, the contribution sought for this application is £10263.

### **THIRD PARTY REPRESENTATIONS**

The application was advertised by means of a Site Notice. Two letters of objection have been received as a result. The Local Member has also raised concerns. The points of objection are summarised and discussed as follows:

- The new link road will have a negative impact on the occupiers of the adjacent properties' quality of life. By having this new entrance within 15 metres of a dwelling will make the situation worse.
- Over many years the neighbours of the Concrete Works have sought the co-operation of the Works to mitigate its effects. However, over time the noise pollution has worsened significantly and there has been an increase in out of hours working.
- Additionally, the site owners have consistently failed to mitigate the effect of dust pollution emanating from the site. The nearby homes are permanently blanketed in a layer of concrete and cement dust, which is likely to be detrimental to health. This will be worse if the proposed access is approved as the lorries will pass closer to properties. With noise generation as well, the gardens of the nearby properties will effectively be unusable during working hours.
- If approved, there would need to be, at the very least, effective measures in place to mitigate against the worst effects of increased noise and dust pollution and these requirements are properly enforced.

It is clear from the points raised above that the points of objection raised are focused on the operation of the Penygroes Concrete Works, the negative effects the works are currently having on two of the closest properties and how it is feared a new access closer to these properties may make the current situation worse.

Looking first at the current issues experienced by the neighbouring properties, the Planning Department have not been made aware of these concerns in the past. Even so, such concerns should, and it would appear have, been directed at the Authority's Public Protection Department. They have been consulted on this planning application and raise **no objections** to the proposal. Now that is not to say that the current issues are not being

experienced. However, it is considered that the creation of the access would not exacerbate the issues for the objectors beyond the current levels.

The new ELR has already been approved and will be operational and creating a potential disturbance for the objectors for better or worse. It is considered that the additional movements to the Concrete Works would not significantly add to the volume of traffic bourn by the new ELR and, as such, the negative effect of this additional traffic would not be significant.

- The proposed access and site footprint increase is onto a green field area with the removal of native hedges. This is not a necessity. The green field area should be preserved and the Concrete Works should continue to use their existing Norton Road entrance.

With regard to this final point, by virtue of the creation of the ELR, the green field status of the site proposed for the new access to the Concrete Works has now been lost. It also offers a new opportunity to provide an improved vehicular access for the Concrete Works onto a road that has better alignment, with and visibility than the current access and which would not require the heavy vehicles to drive past many more residential properties.

## **CONCLUSION**

Taking into account all of the points raised above and in considering, on balance, the potential benefits of the proposed scheme, it would appear that inevitably this scheme, given the proximity to residential properties, may have undesirable consequences. However, on balance, it has been considered by Public Protection that the proposal would not introduce issues at a scale or level that would be unreasonable. Also, the location of the new access would mean that heavy lorries, although they would be passing close to these two properties, would be potentially avoiding passing close to numerous other properties as the vehicles would be able to use the new ELR and avoid having to use the Gorslas junction, Penygroes and Norton Road specifically.

In addition to the above, the application will provide a contribution of £6351.87 towards the Caeau Mynydd Mawr SAC and provision of Marsh Fritillary habitat.

In light of the above, the application is considered to be acceptable and is therefore recommended for approval.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans received on 15 May 2018:

- The 1:2500 scale Location Plan (01)
- The 1:200 scale General Arrangement – Main Access (02)
- The 1:25, 1:500 and 1:1000 scale General Arrangement – Agricultural Access (03)
- The amended 1:250 scale Drainage Plan (CW01 D) received on the 16 January 2019
- The 1:50 scale Fencing/Access Construction Details (05)

3 No development shall take place on the application site until the applicant has:

- Prepared a desktop study (Preliminary Risk Assessment) which shall include the identification of previous land uses, potential contaminants that might reasonably be expected given those uses and other relevant information, such as pathways and exposure to potential receptors. This information shall also be presented in tabular or diagrammatical form (Conceptual Site Model) for the site and all potential contaminant sources, pathways and receptors shall be included. In order to complete the conceptual site model, it may be necessary at this stage to undertake limited exploratory sampling. The Preliminary Risk Assessment shall be submitted to and be approved by the Local Planning Authority.
- Prepare a detailed scheme for the investigation and recording of contamination for the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) shall be submitted to and approved by the Local Planning Authority. The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards.
- Submitted detailed proposals for site remediation and verification (Remediation Strategy) which may involve the removal, containment or otherwise rendering harmless such contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards and shall be submitted to and have received in writing the approval of the Local Planning Authority prior to commencing the works.
- If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Remediation Strategy' then a revised 'Remediation Strategy' shall be submitted to the Local Planning Authority.
- If, during development, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed 'Remediation Strategy'.
- Any soil imported must be suitable for use and any soil arising from elsewhere on the development site must be subject to same requirements as imported materials.
- The following aspects of imported materials require validation:

- A copy of the certificate of analysis, details of the source of the topsoil and an interpretation of the analytical results by a suitably qualified individual [topsoil must be approved in writing by the Local Authority prior to importation].
- 4 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained in perpetuity, unobstructed, for the purposes of parking only. In particular, no part of the parking facilities is to be obstructed by non-motorised vehicles.
  - 5 The new agricultural access shall be hard-surfaced in a bonded material up to the gate behind the nearside edge of the shared use facility, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
  - 6 Any access gates required shall be open inwards into the site only.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity.
- 3 To prevent contamination from a known industrial site.
- 4-6 In the interest of highway safety.

## **REASONS FOR GRANTING PLANNING PERMISSION**

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

- It is considered that the proposal complies with policy GP1 of the LDP in that the proposed accesses utilise acceptable materials and would not have unacceptable amenity impacts upon the occupiers of the neighbouring land users. It also provides new safe accesses for existing users to existing businesses off the new Economic Link Road whilst having regard to the safe, effective and efficient use of the transportation network. The development provides for the satisfactory generation, treatment and disposal of surface water.
- The proposal complies with policy TR3 of the LDP in that the new access created off the ELR in this location provides appropriate servicing space in accordance with the required standards, along with the required access standards, commensurate with the standard of of road being built. This will ensure that highway safety is maintained and improved and also provides a suitable Sustainable Drainage System (SUDS) to acceptable deal with surface water generated from the development.



## NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website

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](http://www.carmarthenshire.gov.uk))

Mae'r dudalen hon yn wag yn fwriadol

*Ardal Del/  
Area South*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR  
AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 07 CHWEFROR 2019  
ON 07 FEBRUARY 2019**

**I'W BENDERFYNU/  
FOR DECISION**



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

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

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>07 FEBRUARY 2019</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA SOUTH**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	<b>Page no.</b>
<b>S/36837</b>	<b>Variation of conditions 2, 7 and 9 of planning permission S/32708 at former Gwenllian Court Hotel, Mynyddygarreg, Kidwelly, SA17 4LW</b>	<b>23</b>
<b>S/37798</b>	<b>Construction of two detached dwelling houses at land at Dolau Fan, Burry Port, SA16 0RG</b>	<b>31</b>
<b>S/38052</b>	<b>Change of use of existing former Zion Chapel (D1) to provide ground floor offices (B1) and create two additional levels of accommodation (C3) 2no. 2 bedroom flats per floor (total 4 x 2 bed) at Zion Chapel, Parcyminos Street, Burry Port</b>	<b>39</b>

**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>S/36837</b>
-----------------------	----------------

<b>Application Type</b>	Variation of Planning Condition(s)
<b>Proposal &amp; Location</b>	VARIATION OF CONDITIONS 2, 7 & 9 OF PLANNING PERMISSION S/32708 AT FORMER GWENLLIAN COURT HOTEL, MYNYDDYGARREG, KIDWELLY, SA17 4LW

<b>Applicant(s)</b>	MR M BLEWETT, C/O AGENTS, ,
<b>Agent</b>	JCR PLANNING LTD - RICHARD BANKS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Kidwelly
<b>Date of validation</b>	19/02/2018

## CONSULTATION

**Head of Highways and Transport** – Had initial queries, however after discussion and amendments has no objection subject to the imposition of appropriate conditions.

**Kidwelly Town Council** – Has not commented to date.

**Local Member** - County Councillor J Gilasby is a member of Planning Committee and has not commented to date.

**Neighbours/Public** – 2no. Site Notices have been posted with replies from 2no. properties having been received as a result raising the following issues:-

- Highway safety;
  - Effects on pedestrian movement is not clear;
  - New access needed with closure of existing;
  - Further traffic calming is required;
- Change is financially driven;
- No justification for amendments;
- The construction site is unsightly;
- Consultation by site notice is not adequate.

## RELEVANT PLANNING HISTORY

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

S/32708	Demolition of former hotel to form a plot layout for 3no. detached dwelling houses, together with formation of an access road to facilitate a change of use of former rear hotel wing to 3no. linked dwelling houses Full planning permission S106 signed – affordable housing	12 September 2016
S/27723	Proposed renovation and extension of existing hotel Full planning permission	31 May 2013
S/02259	Proposed new bedrooms (11no.) and staff accommodation wing Full planning permission	19 January 2000
S/00929	Front extension to hotel Full planning permission	2 November 1997
D5/12808	10 bed annexe Full planning permission	25 June 1990
D5/2508	Hotel extension Full planning permission	21 July 1977
D5/1869	Swimming pool Refused	10 January 1977
D5/1343	Additional dining and seating areas Full planning permission	17 May 1976

## APPRAISAL

### THE SITE

The application site is a former country residence of a local tinsplate works owner which was converted to a Hotel in the 1970s and has extended incrementally since then with a dining room approved in 1976 and extensions approved in 1977, 1990, 1997 and 2000. The hotel stopped trading in approximately 2011 as there were structural issues with the roof which had led to water penetration into the bedrooms and the cost of refurbishment was unviable to the owners at that time. The site was sold and a further extension and refurbishment was approved in 2013. The hotel was stripped out however the cost of renovation proved prohibitive so the project was abandoned and the site sold on.

Planning permission was granted in September 2016 for the demolition of part of the hotel and redevelopment of the site as follows. The relatively modern wing was to be subdivided to form 3 small units of accommodation plus the retention of the former manager's house as a dwelling. The older part of the hotel was proposed to be demolished and replaced with 3 residential development plots and a new access road to serve two of the plots and the



converted retained units. The remaining plot was proposed to be served by the original access point.

The applicant has demolished the older part of the hotel and has proceeded to convert the newer wing to residential although it is understood that it is not yet occupied. The application is therefore partly retrospective as work has commenced on the extant permission.

## **THE PROPOSAL**

The application seeks a variation of condition on a hybrid permission for the change of use of part of the hotel to residential and three plots of land in place of the remaining part of the hotel. The plot layout and access road to serve the plots is proposed, however the detailed design of each house is not submitted for consideration and would therefore be subject to a separate full application.

The proposal is for Plot 1 to be served directly from Llangadog Road using an existing service entrance, with the remnant of the hotel (Units 4-6) plus the existing manager's house and two of the plots served via the existing hotel access on the southern corner of the site. The existing access is proposed to be improved with the lowering of the perimeter wall to not exceed 900mm so visibility would be ensured and improved.

A pedestrian access from the site is proposed along part of the frontage to serve the three plots and a path through the internal layout so that Units 4-6 and the manager's house can access the pavement. Pedestrians would then be able to cross the road and use the existing pedestrian pavement network.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is within the settlement development limits of Kidwelly as defined in the Carmarthenshire Local Development Plan (LDP) adopted December 2014.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles.

Policy 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. This includes minimisation of waste, displays efficient use of resources, minimises the need to travel, minimises flood risk and is energy efficient.

Policy GP1 Sustainability and High Quality Design provides a list of criteria which demonstrates principles of good design to ensure that development is appropriate to the character of the area and would not have a significant impact on third parties.

Policy AH1 Affordable Housing requires developments of more than 5 houses to provide affordable housing on site at a percentage which depends on where the proposal is situated within the County.

Policy TR3 Highways in Developments - Design Considerations, sets out the requirements for development to be situated in a suitable location and incorporate appropriate parking, access and sustainable transport features.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 10 – December 2018 and TAN12 provides design guidance.

### **THIRD PARTY REPRESENTATIONS**

Highway and pedestrian safety matters have been carefully considered by the Head of Highways and Transport. As a result there have been several amendments to the scheme to ensure that highway and pedestrian safety is adequate. The Head of Highways and Transport therefore has no objection subject to the imposition of appropriate conditions.

The motivation for the change is not material to the consideration of the proposal.

The construction site is said to be unsightly given the fact that the work is currently underway. It is noted that the fencing is required for health and safety reasons.

Consultation by site notice is in accordance with the statutory consultation requirements.

### **CONCLUSION**

After careful consideration of the proposal in the context of the site and surrounding environs, the proposed amendment to the access arrangements is considered to be acceptable as the main means of access and egress is now using the main entrance to the former hotel which would have had more traffic generated in its former use. The remaining plot is proposed to use the former service access so again this is a traditional arrangement. The Head of Highways and Transport has no objection to the changes subject to revised conditions.

It is therefore recommended that the conditions be amended as set out below. The application is therefore recommended for approval subject to the renewal of the S106 legal agreement so that it refers to the new proposal as amended.

### **RECOMMENDATION – APPROVAL**

#### **CONDITIONS**

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 19 February 2018.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
  - 1:1250 scale Location Plan dated 8 February 2018;
  - 1:500 scale Block plan/Site layout dated 14 December 2018;
  - 1:100 scale Proposed Floor Plans and Elevations. Drawing No. GA003.
- 3 This application is for full permission for the change of use of part of the hotel and for the laying out of three plots. Full planning permission will be required for the details of development on the three plots hereby approved.

## **Plot 1**

- 4 Prior to the occupation of Plot No.1, its new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Council's Typical Layout No. 1 specification. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 5 Any access gates shall be set back a minimum distance of 5 metres from the highway boundary, and shall open inwards into the site only.
- 6 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 25 metres shall be formed and thereafter retained in perpetuity, to the south side of the centre line of the access road in relation to the nearer edge of carriageway.
- 7 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x site extremity shall be formed and thereafter retained in perpetuity, north side of the centre line of the access road in relation to the nearer edge of carriageway.
- 8 Prior to the beneficial occupation of Plot 1, the access, visibility splays and turning area required, shall be wholly provided, 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.

## **Plots 2 - 6 and Existing Manager's Dwelling**

- 9 Prior to its use by vehicular traffic, the access road shall be laid out and constructed with 5.0 metre carriageway and a 1.8 metre wide footway on the developed frontage (eastern side).
- 10 The proposed vehicular access shall at all times be left open, unimpeded by gates or any other barrier.
- 11 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 Llangadog Road (U2229) frontage within 2.4 metres of the near edge of the carriageway, as shown on proposed Block Plan, Drawing No: MB0022, dated: 26<sup>th</sup> November 2018.
- 12 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole estate road frontage within 2.0 metres of the near edge of the carriageway.
- 13 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.
- 14 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

- 15 Prior to the beneficial occupation of any of the dwellings herewith approved the pedestrian footpath routes and refuge within the site providing access to Llangadog Road shall be provided in accordance with Drawing No: MB0022, Dated: 26/11/2018, together with a tactile crossing point. This work shall be completed to the written approval of the local planning authority.
- 16 There shall be no built development including solid fencing within the part of the site defined as within Zone C2 of the development advice maps which accompany TAN15.
- 17 Notwithstanding Condition 16 above, any full application shall include full details of new boundary treatment which shall be of a design and construction which would not prevent the free flow of water in the event of a flood.
- 18 The development as approved by this permission shall be carried out strictly in accordance with the approved Construction Environment Management Plan & Pollution Prevention Method Statement dated 16 December 2015 under application S/32841.
- 19 Development shall not begin until an appropriate building and photographic survey of the existing buildings has been carried out in accordance with guidelines provided by the local planning authority's archaeological advisors – The Dyfed Archaeological Trust - Heritage Management. The resulting photographs should be approved by the planning authority prior to the commencement of development and deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust, The Shire Hall, Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AF, (Tel 01558-823121).
- 20 The trees/hedgerow around the application site's boundary shall be protected for the duration of the construction period following guidelines in BS5837 2005 (trees in relation to construction) as follows and shall thereafter be retained in perpetuity:
  - An exclusion zone is to be identified by the authority and agreed in writing prior to start of works.
  - Any arboricultural works that are required in pursuance of given planning permission e.g. to form access way etc. - to be undertaken by suitably qualified professionals before the erection of protective barriers.
  - Following any necessary arboricultural works all trees to be retained to be protected by permanent non moveable barriers. In light of previous experience with Chestnut paling the barriers should consist of 2.9 m scaffolding poles sunk 0.6 metres into the ground. Steel mesh should then be secured to the scaffold frame to adequately shield the trees from machinery.
  - The protective barrier is to remain until written permission is given by this authority for its removal.
  - Absolutely no materials are to be stored at any time within the agreed exclusion zone.

- Arboricultural works and erection of protective barriers is to be supervised/inspected prior to start of any development.

21 No development approved by this permission shall be commenced until an Ecological Management and Maintenance Plan detailing all necessary ecological retentions, enhancements, creation, mitigation and ongoing management measures, delivering the ecological recommendations listed within the Ecological Survey Report by Fiona Elfick, dated 4 October, is submitted to and approved in writing by the local planning authority. The plan shall then be implemented as approved.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity.
- 3 For the avoidance of doubt.
- 4-15 In the interests of highway safety.
- 16+17 To minimise the risk of flooding.
- 18 To protect ground waters.
- 19 To record and historic features within the former hotel.
- 20 To protect features of landscape and biodiversity value.
- 21 In the interests of ecology.

## **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 SP1, GP1, GP2 & H2 of the LDP in that it is sensitive infilling within the settlement development limits which is appropriate in scale and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.

## **NOTES**

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

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

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

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

- 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](http://www.carmarthenshire.gov.uk)).
- 3 The applicant/developer's attention is drawn to the requirement to comply with a legal agreement pursuant to Section 106 of the Town and Country Planning Act in respect of the provision of one affordable dwelling on the site.

<b>Application No</b>	<b>S/37798</b>
-----------------------	----------------

<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF TWO DETACHED DWELLINGHOUSES AT LAND AT DOLAU FAN, BURRY PORT, SA16 0RG

<b>Applicant(s)</b>	MR M. WALTERS, 4 OAKLANDS CLOSE, BURRY PORT, SA16 0RX
<b>Agent</b>	JCR PLANNING LTD - RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
<b>Case Officer</b>	Robert Davies
<b>Ward</b>	Burry Port
<b>Date of validation</b>	14/09/2018

## CONSULTATIONS

**Pembrey and Burry Port Town Council** – No objection, recommends approval.

**Local Members** – County Councillor Amanda Fox has not responded to date. County Councillor John James, who is a Member of the Planning Committee has also not responded to date.

**Dwr Cymru/Welsh Water** – No objection subject to the imposition of conditions and advisory notes on any planning permission granted.

**Land Drainage Officer** – No objection.

**Neighbours/Public** – The application was advertised by the posting of two site notices. Two letters of representation have been received to date raising the following concerns and objections:-

- The height of the proposed dwellings is not in keeping with the existing development. They should be split level bungalows. The design is also not in keeping.
- The side windows will cause privacy issues to neighbouring properties.
- After 10 years the existing occupants are still waiting for a road surface. Will the development of these plots trigger enforcement to ensure that the road is finished?

## **RELEVANT PLANNING HISTORY**

The following previous application has been received on the application site:-

D5/14245	Construction of 12 private dwelling Full planning permission	31 March 1994
----------	---	---------------

## **APPRAISAL**

### **THE SITE**

The application site consists of a rectangular parcel of land located off the northern flank of Dolau Fan in Burry Port. The plot consists of two rectangular plots, the dimensions of which are some 38 metres in depth by 15 metres in width. The site steeply slopes downwards in a westerly direction and forms part of a larger housing development of 12no. dwellings which were granted planning permission originally in 1992. Eight dwellings have been constructed to date on a plot by plot basis, with some designs amended from that originally approved in 1992.

### **THE PROPOSAL**

The application seeks full planning permission to construct two, four bedroom split level dwellings with integral garages. The design of the proposed dwellings is similar to those recently constructed to the immediate south west of the site, having two storeys on the plot frontage extending to three storeys at the rear as the ground level descends below the road level. The proposal incorporates surfaced off street car parking to the front driveway which is to remain open in nature, whilst rear boundaries will be defined by close boarded fencing. Due to the split level nature of the proposal retaining wall structures are required.

The proposed dwellings are approximately 11.1m in depth, 10.5m in width, whilst their maximum heights varies from 8m when viewed from the front elevation to 10.5m when viewed from the rear. The proposed external finishes consist of facing brick to the walls and grey profiled tiles to the roof.

### **PLANNING POLICY**

The area is covered by the Carmarthenshire Local Development Plan that was formally adopted in December 2014. The application site is located within the defined settlement limits of Burry Port as delineated within the Adopted Local Development Plan (LDP) and in fact forms part of a housing allocation. The key relevant policies are as follows:-

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 LDP's settlement framework. In this respect Burry Port is identified as a Service Centre.

Policy SP6 of the LDP ensures the delivery of affordable housing that in turn will contribute to the creation of sustainable communities within the Plan area.



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

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

Policy SP17 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 AH1 of the LDP requires a contribution to affordable housing on all housing allocations and windfall sites.

Policy TR2 of the LDP states that developments which have the potential for significant trip generation, should be located in a manner consistent with the plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

Policy TR3 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 EQ1 of the LDP states that proposals affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest will only be permitted where it preserves or enhances the built and historic environment.

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.

Policy EP1 of the LDP states that proposals will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality.

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

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

### **THIRD PARTY REPRESENTATIONS**

As aforementioned in this report, two letters of representation have been received which raise objections and concerns in relation to the proposed development. The issues raised are considered to be material planning considerations and will therefore be addressed as part of this appraisal.

In terms of scale and design, as aforementioned the proposed dwellings are similar to those recently constructed to the south west of the site, being split level in nature due to the sloping nature of the site. The most recently constructing dwelling to the immediate south west has a two storey appearance when viewed from the front elevation and not a bungalow as suggested. The proposed dwellings are therefore considered acceptable in terms of scale and design.

With regard to the overlooking concerns from side windows, it is recommended that a condition is imposed on any planning permission granted to ensure that the first floor en suite windows are glazed in obscure glass and thereafter retained as such in perpetuity. Whilst there are further side windows on the lower ground floor it is not considered that these will result in significant overlooking issues. Due to the sloping nature of the site there will be a degree of overlooking down towards the property to the south west, albeit this will be at a distance and future boundary treatment will assist in reducing this impact.

The final issue of concern raised relates to the surfacing of the road that serves this development. This is a long standing concern of residents and is something which has been investigated from a planning enforcement perspective. This investigation concluded that the local planning authority could not take formal enforcement action to insist that this road is brought up to adoptable standard. The current applicant does not own or have any control over this road in order to undertake any further improvement works to it.

### **CONCLUSION**

The application site is located within the defined settlement limits of Burry Port as delineated within the Adopted LDP and forms part of a housing allocation. Therefore there is no in-principle objection to developing the site for residential use.

The proposed split level nature of the dwellings proposed are considered to be in-keeping with recent dwellings built, whilst the external finishes proposed match that of existing dwellings. Moreover, both new dwellings will be served by an adequate level of off road parking provision.

Cross section drawings submitted with the application, indicating existing and proposed levels, indicate that the proposed dwellings will set well in the context of the immediate streetscene, and will not appear overly dominant.

It is considered that there are no loss of amenity issues associated with the proposed development whilst it is considered that the reasons for concern and objection raised have adequately been addressed as part of the above appraisal.

The applicant has agreed to pay a financial contribution of £36,680.20 towards affordable housing, and a Unilateral Undertaking to this effect has been submitted during the course of the planning application process.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval subject to the following conditions.

## **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 hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
  - Block plan (A114) 1:100 @ A1 received 6th September, 2018;
  - Site location plan (A115) 1:500 @ A1 received 6th September, 2018;
  - Plot 8 – Elevations A-B (A111) 1:100 @ A1 received 6th September, 2018;
  - Plot 8 – Front elevation and streetscene (A110) 1:50; 1:100 @ A1 received 6th September, 2018;
  - Plot 8 – Lower ground and roof plan (A113) 1:50 @ A1 received 6th September, 2018;
  - Plot 9 – Elevations A-B (A106) 1:100 @ A1 received 6th September, 2018;
  - Plot 9 – Front elevations (A105) 1:50 @ A1 received 6th September, 2018;
  - Plot 9 – Ground and first floor plan (A104) 1:50 @ A1 received 6th September, 2018;
  - Plot 9 – Rear elevation (A107) 1:50 @ A1 received 6th September, 2018;
  - Plot 9 – Elevations and section 1:100 @ A1 (A106) received 12th December, 2018;
  - Elevations and sections A-A, B-B Plot 8 1:100 @ A1 (A111) received 12<sup>th</sup> December, 2018.

- 3 The first floor en suite windows should be glazed in obscure glass and thereafter retained as such in perpetuity
- 4 Prior to the occupation of the dwellings hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwellings are occupied.
- 5 Prior to the construction of the dwellings hereby approved details and samples of the materials to be used in the construction of the external surfaces of the dwellings should have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6 Prior to the occupation of the dwellings hereby approved a plan indicating the positions, height, design, materials and type of privacy screen either side of the proposed balconies including scaled drawings 1:20 of the proposed privacy screens shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwellings are occupied.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2+5 In the interest of visual amenity.
- 3+6 To preserve residential amenity.
- 4 In the interest of visual amenity and to preserve residential amenity.

## **REASONS FOR GRANTING PLANNING PERMISSION**

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

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP6 of the LDP in that the applicant has agreed to provide a financial contribution towards affordable housing.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.

- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Burry Port and accords with all other policies of the plan.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.
- It is considered that the proposal complies with Policy H2 of the LDP in that the proposed housing development is located within defined settlement limits and accords with the principles of the plan's strategy and its policies.
- It is considered that the proposal complies with Policy AH1 of the LDP in that the applicant has agreed to provide a financial contribution towards affordable housing.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ1 of the LDP in that the proposed development preserves the built and historic environment.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.

## NOTES

- 1 This planning permission is granted subject to the covenants contained in the Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 dated ..... in connection with the payment of a commuted payment of £36,680.20 towards affordable housing provision.
- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 3 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

<b>Application No</b>	<b>S/38052</b>
-----------------------	----------------

<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE OF EXISTING FORMER ZION CHAPEL (D1) TO PROVIDE GROUND FLOOR OFFICES (B1) AND CREATE TWO ADDITIONAL LEVELS OF ACCOMMODATION (C3) 2NO 2 BEDROOM FLATS PER FLOOR (TOTAL 4 X 2 BED) AT ZION CHAPEL, PARCYMINOS STREET, BURRY PORT

<b>Applicant(s)</b>	LAD PROPERTY DEVELOPMENTS LTD, 3 OAKLANDS CLOSE, BURRY PORT, SA16 0RX
<b>Agent</b>	LEWIS PARTNERSHIP LTD - GERAINT PHILLIPS, 13 PARK CRESCENT, LLANELLI, SA15 3AE
<b>Case Officer</b>	Robert Davies
<b>Ward</b>	Burry Port
<b>Date of validation</b>	16/11/2018

## CONSULTATIONS

**Head of Highways and Transport** – No objection.

**Head of Public Protection** – No objection subject to noise related conditions.

**Pembrey and Burry Port Town Council** – Recommend refusal as the site has no parking provision and the existing road is narrow with the only exit being through the back lane.

Reference is also made to past issues with the retaining wall separating the rear of the chapel with commercial premises to the rear. However it is understood that remedial works have taken place.

**Local Members** – County Councillor John James, who is a Member of the Planning Committee has responded on behalf of himself and Cllr Amanda Fox. The main concern of local residents is over car parking. Parcyminos Street is already full of cars, and vehicles traveling through have to mount the pavement, which is a dangerous practice in a street where the front doors are directly in line with the pavements, but this has not stopped damage to parked cars. There is a business already working out from this site.

There are also concerns over the drainage system and a build-up of water on the road is a regular occurrence during rainfall.

In light of these concerns both local County Councillors request that the Planning Committee visits the site prior to making a decision on this application.

**Dwr Cymru/Welsh Water** – No objection subject to the imposition of conditions and advisory notes on any planning permission granted.

**Natural Resources Wales** – No objection.

**Dyfed Archaeological Trust** – No objection subject to a condition requiring a photographic survey.

**Neighbours/Public** – The application was advertised by the posting of two site notices. One letter has been received supporting the proposal.

## **RELEVANT PLANNING HISTORY**

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

S/37143	Change of use from disused chapel vestry to commercial offices Full planning permission	08 June 2018
---------	--	--------------

## **APPRAISAL**

### **THE SITE**

The application site consists of Zion Chapel, which occupies a corner position on the junction of Parcyminos Street and Bridge Street in the centre of Burry Port. The main commercial uses of the town are located at Station Road to the immediate south of the site, with the main railway station beyond.

Parc Y Minos and Bridge Street are narrow roads, and whilst Parc Y Minos Street is residential in character, Bridge Street has a number of commercial uses including a repair garage and public house/bed and breakfast. The applicant has recently converted the former vestry into an office associated with his plumbing business.

### **THE PROPOSAL**

The current application relates to the main chapel building and seeks full planning permission to change the use from a chapel (D1 use) into additional office space at ground floor (B1 use) and to create two additional floors of residential accommodation in the form of 4no. two bedroom flats (C3 use). Externally, the appearance of the main front elevation is to largely remain in the same, however the windows on both side elevations are to be increased in height to serve the second floor flats, whilst new window openings are proposed on the rear elevation. An additional access point is also proposed on the rear elevation.

The planning application has been accompanied by the following supporting reports:-

- CSS Wales 2008 Parking Standards ‘Sustainability Assessment’ as no parking provision can be made within the scheme;
- Noise Report;
- Bat Survey Report which did not find any Bats;



- Design and Access Statement.

## **PLANNING POLICY**

The area is covered by the Carmarthenshire Local Development Plan that was formally adopted in December 2014. The application site is located within the defined settlement limits of Burry Port as delineated within the Adopted Local Development Plan (LDP). The key relevant policies are as follows:-

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 LDP's settlement framework. In this respect Burry Port is identified as a Service Centre.

Policy SP6 of the LDP ensures the delivery of affordable housing that in turn will contribute to the creation of sustainable communities within the Plan area.

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

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

Policy SP17 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 AH1 of the LDP requires a contribution to affordable housing on all housing allocations and windfall sites.

Policy TR2 of the LDP states that developments which have the potential for significant trip generation, should be located in a manner consistent with the plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

Policy TR3 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 EQ1 of the LDP states that proposals affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest will only be permitted where it preserves or enhances the built and historic environment.

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.

Policy EP1 of the LDP states that proposals will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality.

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

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

### **THIRD PARTY REPRESENTATIONS**

As aforementioned in this report, Pembrey and Burry Port Town Council has recommended that the application be refused, whilst both local County Councillors have objected on behalf of concerned local residents. The issues raised are considered to be material planning considerations and will therefore be addressed in this report. In addition one letter of support has been received.

The main issue of concern and objection raised relates to access and parking. As aforementioned the application itself was accompanied by a Sustainability Assessment which highlighted the fact that the application site is in a sustainable town centre location, close to facilities and public transport links. Whilst the road network surrounding the site is relatively narrow with a high degree of on street parking, the building subject of this application does have an established D1 use. This use class relates to non-residential institutions, and in addition to places of worship includes such uses as health centres, day

nurseries and libraries etc. Members will have noted that the authority's Head of Highways and Transport has not objected to the application, and this recommendation is reflective of the established use of the site and the fact that the proposed development is considered a least intensive use of the site.

The second issue of concern raised relates to surface water drainage problems during periods of heavy rainfall. In this respect no additional buildings or hardstandings are proposed. The proposal only relates to the conversion of an existing building and therefore it is not considered that the proposal will exacerbate any existing issues in this respect.

With regards to the reference to past issues with the retaining wall that separates the former chapel with commercial properties along Station Road to the south, again reference is drawn to the fact that no significant construction works are proposed.

## **CONCLUSION**

The application site is located within the defined settlement limits of Burry Port as delineated within the Adopted LDP and relates to the conversion of an existing building which could otherwise lay empty and fall into a state of neglect. Therefore there is no in-principle objection to developing the site for residential use.

The proposed scheme of conversion is considered to be acceptable in design terms, whilst no objections have been received from statutory consultees.

It is considered that there are no loss of amenity issues associated with the proposed development whilst it is considered that the reasons for concern and objection raised have adequately been addressed as part of the above appraisal.

The applicant has agreed to pay a financial contribution of £16,178 towards affordable housing, and a Unilateral Undertaking to this effect has been submitted during the course of the planning application process.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval subject to the following conditions.

## **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 hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
  - Existing site and location plan (01) 1:500; 1:1250 @ A3 received 15th October, 2018;
  - Existing floor plans (02) 1:50 @ A1 received 15th October, 2018;

- Existing elevations and sections (03) 1:50; 1:100 @ A1 received 15th October, 2018;
- Existing site plan (05a) @ A1 received 15th October, 2018;
- Proposed floor plans (06b) 1:50 @ A1 received 15th October, 2018;
- Proposed elevations and sections (07c) 1:50; 1:100 @ A1 received 15th January, 2019;
- Proposed site plan (08b) @ A1 received 15th January, 2019;
- Proposed site sections and site plan (10a) 1:200 @ A1 received 15th January, 2019.

- 3 The development hereby approved is for the use of the premises as Offices only at ground floor and for no other purpose including any other purpose in Class B1 of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without variation.
- 4 The development should be undertaken in strict accordance with Sections 4.2, 5.1.1 and Appendix 7 of the Bat Survey Report received by the local planning authority on the 29th October, 2018.
- 5 No items of mechanical plant (including ventilation, refrigeration, air conditioning and air handling units) should be installed without specific planning permission.
- 6 During the demolition and construction phases, no works or demolition or construction shall take place other than within the hours of 07:00 – 19:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays.
- 7 Noise during the construction phase of the proposed development should not exceed 65 dB LAeq (12 hour) at any noise sensitive receptors in the vicinity.

## REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity.
- 3 In the interest of preserving residential amenity and so as to remain within the Use Class specified in the General Development Order.
- 4 In the interests of biodiversity.
- 5 In order to avoid the need for an Operational Noise Assessment and in order to preserve residential amenity.
- 6+7 In order to preserve residential amenity.

## REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP6 of the LDP in that the applicant has agreed to provide a financial contribution towards affordable housing.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Burry Port and accords with all other policies of the plan.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.
- It is considered that the proposal complies with Policy H2 of the LDP in that the proposed housing development is located within defined settlement limits and accords with the principles of the plan's strategy and its policies.
- It is considered that the proposal complies with Policy AH1 of the LDP in that the applicant has agreed to provide a financial contribution towards affordable housing.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.

- It is considered that the proposal complies with Policy EQ1 of the LDP in that the proposed development preserves the built and historic environment.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.

## NOTES

- 1 This planning permission is granted subject to the covenants contained in the Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 dated ..... in connection with the payment of a commuted payment of £16,178 towards affordable housing provision.
- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the authority's website.
- 3 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

*Ardal  
Gorllewin/  
Area West*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

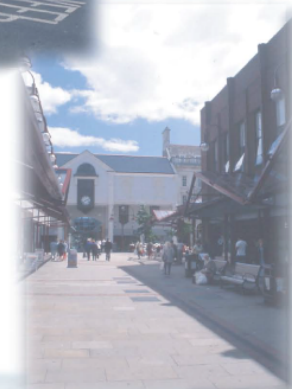
**REPORT OF THE  
HEAD OF PLANNING,  
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 07 CHWEFROR 2019  
ON 07 FEBRUARY 2019**

***I'W BENDERFYNU  
FOR DECISION***



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

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



<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>07 FEBRUARY 2019</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA WEST**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	<b>Page no.</b>
<b>W/38150</b>	<b>Renewal of expired planning approval (W/20486) residential dwelling at 14 Heol Gwermont, Llansaint, Kidwelly, SA17 5JA</b>	

**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/38150</b>
-----------------------	----------------

<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	RENEWAL OF EXPIRED PLANNING APPROVAL (W/20486) RESIDENTIAL DWELLING AT 14 HEOL GWERMONT, LLANSAINT, KIDWELLY, SA17 5JA

<b>Applicant(s)</b>	JO LEWIS, FISHERYWISH, LLANSAINT, CARMARTHEN, CARMARTHENSHIRE, SA17 5JE
<b>Agent</b>	IAGO CYMRU LTD - GETHIN LLOYD JAMES, TROED Y BRYN, LLANARTHNE, CARMARTHEN, SA32 8JE
<b>Case Officer</b>	Richard Jones
<b>Ward</b>	St Ishmael
<b>Date of validation</b>	10/12/2018

## CONSULTATIONS

**Head of Highways and Transport** – No objection subject to a condition relating to the retention of the proposed parking spaces.

**St Ishmaels Community Council** – Has not responded to date.

**Local Members** - County Councillor L M Stephens has made no comment to date.

**Natural Resources Wales** – No objection subject to standard advice in relation to European protected species.

**Neighbours/Public** - The application has been publicised by the posting of a Site Notice and advertised in the local press as a development within a conservation area. Two objection letters have been received and are summarised below:-

- Significant loss of privacy to garden and habitable rooms due to overlooking from proposed first floor window.
- Additional noise and disturbance as a result of the dwelling.
- Over-development and overcrowding of the site which will have an impact upon the character of the area in addition to the effect it would have on the Llansaint Conservation Area.
- Negative visual impact on the landscape.
- Increased volume of traffic as a result of the proposal resulting in a greater risk to pedestrians in the immediate locality.

- The driveway dimensions appear to fall short of the regulations.
- Concern regarding the management, control and safe dismantling and disposal of the structure currently on site. There could be hazardous material such as asbestos in the building which could pose a threat to the health of adjacent occupiers.
- Disappointment that neighbouring dwellings were not consulted and no notice of planning being put up.
- Traffic congestion will be caused to a very narrow street and cause access issues to an adjacent property.
- Lack of visibility at the site's proposed access with Heol Gwermont. There are obstructions that prevent visibility when vehicles emerge from the site.
- Loss of view due to the proposed height of the dwelling.
- The height of the building is not in keeping with the scale of adjacent dwellings.
- Impact on ecological interests at the site.
- There are empty properties in the village and the proposal will add to the number of properties that could become further holiday homes in the village.

## RELEVANT PLANNING HISTORY

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

W/20486	Residential dwelling Full planning permission	25 March 2010
W/17517	Demolition of former garage and outbuilding into 1 no. dwelling house with garage Full planning refused	16 November 2007
D4/24934	Temporary use of existing building as domestic garage Full planning permission	22 September 1994
D4/22795	Conversion of disused shop into a bungalow Outline planning permission	10 November 1992
D4/18273	Siting of residential unit Outline planning permission	12 September 1989
D4/5137	Conversion to residential use Outline planning permission	18 September 1978

## APPRAISAL

### THE SITE/PLANNING HISTORY

The application site comprises a large garage and store structure sited on a parcel of land that is sandwiched between the residential dwellings of No.12 and 16a Heol Gwermont, Llansaint. The structure is set back from the highway by some 5m and measures 19m across its frontage, has a depth of 17.1m and a height of 5.4m. The site is within the Llansaint Conservation Area which is characterised by modest terraced cottages sited along an organic street pattern of narrow roads and alleys. The tight street pattern and the close arrangement of dwellings to one another provide the village with a sense of place which adds significant character to the settlement. The street pattern is irregular, twisting and turning, widening and contracting in a sequential and inviting manner. Dwellings are modest

in height whilst the use of materials is predominantly lime washed stone and spar and slate roof tiles. Minor detailing of the dwellings includes chimney stacks, 40° degree roof pitches and 'clipped' eaves.

Full planning permission was approved subject to conditions at this site for a dwelling in March 2010. This permission has since lapsed, nevertheless this permission demonstrates that residential development, albeit under the previous Local Plan's policies, was acceptable at this location. The design, scale, layout and parking arrangements approved in 2010 are the same as those currently under consideration. Moreover, the site has a history of unimplemented residential planning approvals dating back to 1978. These permissions are considered material to the consideration of this current application.

## **THE PROPOSAL**

Full planning permission is sought for the construction of a detached garage and dwelling. This will require the demolition of the existing building that sits on the site. The amended scheme comprises a detached dwelling which is sited further forward within the plot and approximately 2.2m from the edge of Heol Gwermont and will have a frontage width of 6.7m, a length of 11.2m and a height of 7.9m. A detached garage will be sited to the north east of the dwelling and set back some 2.5m from the front building line. The garage will measure 3.6m in width by 5.7m in length and will be constructed with a pitched roof measuring 4.5m in height. External finishes will consist of slates to the roof, a smooth external render to the elevations and hardwood windows. A rear garden area will be provided which will have a maximum depth of approximately 7.5m. Additional off street parking will be provided in an area in front of the proposed detached garage.

## **PLANNING POLICY**

The relevant policies are:-

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

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" and "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".

Policies SP13 and EQ1 of the LDP relate to development in conservation areas and require that development preserves and enhances the historic environment.

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention shall be paid the desirability of preserving or enhancing the character of appearance of a conservation area.

Paragraph 2.2 of Technical Advice Note 12 Design (2014) states:-

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales - from householder extensions to new mixed use communities.

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (2014) states:-

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

Policy SP1 Sustainable Places and Spaces refer to distributing development to sustainable location in accordance with the settlement framework and promotes the efficient use of land. Integrating with the character and amenity of the area is also referred to.

Policy SP3 Sustainable Distribution – Settlement Framework outlines the growth areas for the County of which Carmarthen is one. Provision for growth and development will be at sustainable locations in accordance with the LDP's Settlement Framework.

Policy SP5 Housing outlines the targets for housing provision and indicates this will be through allocated site but indicates this will not all be achieved through housing allocations.

Policy GP3 Planning Obligations states that the Council will, where necessary seek developers to enter into Planning Obligations to secure contributions to fund improvements to various community benefits.

Policy H2 Housing within Development Limits states that proposals for housing developments on unallocated sites within the development limits of a defined settlement will, where they are not subject to the provisions be permitted, provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy AH1 Affordable Housing indicates that a contribution to affordable housing will be required on all housing sites and below the thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq.m.). In the Lower Gwendraeth area this is £51.25 per sq.m.

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.

Planning Policy Wales 10 (December 2018) provides advice in relation to the assessment of proposals in Conservation Areas. Specifically, Para 6.1.14 states there should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised. Planning authorities should establish their own criteria against which existing and/or new conservation areas and their boundaries should

be reviewed. The preparation of conservation area appraisals and management plans can assist planning authorities in the exercise of their development management functions.

Para 6.1.15 states there is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level. In exceptional cases, the presumption may be overridden in favour of development considered desirable on public interest grounds.

Para 6.1.16 states that preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed. Mitigation measures can also be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.

Para 6.1.17 states that conservation area designation introduces control over the total or substantial demolition of unlisted buildings within these areas, but partial demolition does not require conservation area consent. Procedures are essentially the same as for listed building consent. When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole. Consideration should also be given to replacement structures.

## **Issues**

Turning firstly to the issue of whether the proposal harms the amenity of neighbouring occupiers. The proposed dwelling will occupy a position fronting Heol Gwermont and will have its flank walls facing the corresponding elevations of the other frontage dwellings either side, namely 12 and 18a Heol Gwermont. The proposal maintains a comfortable distance from these properties and does not have any windows directly overlooking or appear physically overbearing when viewed from these properties.

Between the site's south western boundary and the flank wall of No.18a is a short private access off Heol Gwermont that leads to Nos 16 and 16a Heol Gwermont – two dwellings that adjoin each other, but showing evidence of them being a single dwelling at some point in time. These properties will have their curtilages adjoining the side and rear boundary of the proposed site. The proposed dwelling's rear elevation will face No.16 and 16a, albeit at an oblique angle. The proposed dwelling will maintain a separation distance of approximately 11.5m from No.16a and approximately 7m from the boundary the two properties will share. The proposed dwelling will have a first floor bedroom window that will face the patio/amenity area of No.16a and maintain a separation distance of approximately 7.5m from this area. The occupier of No.16a is already exposed to a first floor window in the garage/store building that currently presents an overlooking issue onto the patio. It is considered that the proposed dwelling will not increase the overlooking impact over and above what is currently experienced by the occupiers of 16a. Therefore on balance there is no additional detrimental overlooking impact upon this neighbouring dwelling.

In terms of the physical impact of the dwelling on the living conditions with 16a, it is considered that the relationship between the two dwellings is acceptable and will not lead to an unacceptable overbearing impact upon the patio area or when viewed from habitable windows. The dwelling will be sited at an oblique angle and will not directly face No.16a, ensuring that its mass is angled away from private spaces.

Side bedroom, landing and bathroom windows will face the front garden area of N.16a and rear garden of No.12 Heol Gwermont and would cause unacceptable harm to existing privacy levels. On this basis a planning condition is proposed should members approve the application, requiring these windows to be obscure glazed and un-openable to prevent overlooking.

It is not considered that No.16a's adjoining neighbour No.16 will be harmed given the separation distance and orientation the proposal will have in relation to this property.

The design and scale of the dwelling is consistent with surrounding properties, sharing similarities in terms of, relationship and proximity to the highway, frontage width, height, depth, vertical window openings, and entrance to front elevation, clipped eaves and use of materials. On this basis the proposal is considered to be consistent with the character and appearance of the area, whilst preserving the Llansaint Conservation Area. The site will be enhanced by the removal of a redundant and utilitarian building in the middle of a residential street to make way for the dwelling. The garage/store's demolition will however, require separate conservation area consent before the posed dwelling can be built. Permission will be subject to this provision.

The dwelling is not considered cramped or over-developed within the plot, given that its dimensions allow for an adequately sized rear garden comprising approximately 70 square metres. The building to plot ratio is comparable to neighbouring dwellings in the conservation area. Overall the dwelling will appear visually acceptable and will preserve the conservation area and is not considered to harm the character and appearance of this part of the village.

In terms of the impact upon ecology and biodiversity interests, the bat survey that accompanies the application found no signs of bats roosting within the building proposed for removal. The surveyor states that the building holds negligible potential to be used by bats. No further ecological or biodiversity impacts have been identified by Natural Resources Wales and the Council's Planning Ecologist, subject to standard advice relating to bats and the legislation the developer must follow of bats are encountered during the build stage of the proposal.

The Head of Highways and Transport has responded raising no objection to the proposal on highway safety and transportation grounds, subject to the parking details provided and retained. It is noted that third parties have raised concerns regarding the standard of parking and visibility as vehicles emerge from the new access, however, these are not concerns that have been raised by the Head of Highways and Transport.

### **THIRD PARTY REPRESENTATIONS**

Two objection letters have been submitted following the site and press consultation. Concerns that relate to the impact upon amenity, character of the area, highway safety and ecology have been addressed above. The other matters raised will be addressed below.

The concern regarding the presence of hazardous materials that could be exposed during demolition of the existing site building, is noted, however, ensuring the safe demolition of the structure and the health a safety implications of this is a responsibility of the person carrying out the work and not for the local planning authority to control.



Neighbours have expressed concerns that existing views will be lost as a result of the proposal as well as having a negative effect on property values. These are not material planning considerations.

The issue of increased noise and disturbance has been raised, however, the garage and store building can be used unrestricted at present and generate noise a disturbance through activity. It is considered that the proposed dwelling will raise no significant noise over and the use that is currently on site. Any persistent and continuous noise and disturbance generated by a proposed dwelling would be a matter of statutory nuisance and a planning issue.

The adequacy of the consultation process has been questioned, specifically the lack of direct consultation with neighbours. In response to this, it is considered that sufficient consultation took place to satisfy the legislative requirements, as a site notice was displayed at a visible location on the roadside immediately adjacent to the site, whilst a press notice was placed in the local paper.

Finally concern has been raised that a further dwelling could increase the number of holiday homes already in the village. There is no substantial evidence presented regarding this point, whilst it is not considered a material planning consideration.

## **CONCLUSION**

In conclusion, the proposed dwelling is considered acceptable in that its design and scale is consistent with neighbouring dwellings and will ensure no detrimental harm to the character and appearance of the Llansaint Conservation Area. The dwelling will not appear cramped or confined within its plot and future residents will benefit from an adequately sized private amenity area. The proposed dwelling will also maintain neighbouring residential amenity and will ensure no significant loss in privacy to neighbouring dwellings or result in a detrimental physical/overshadowing impact. Finally the proposal is satisfactory from a highway safety perspective as the Head of Highways and Transport raises no objection.

It is requested that members of the Planning Committee resolve to approve the application subject to the applicant obtaining conservation area consent for the demolition of the garage/store currently on site and the applicant entering into a S106 legal agreement to secure a financial contribution towards affordable housing in the area. On this basis approval is recommended.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of five years of the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans and documents received on 16<sup>th</sup> November 2018, unless otherwise stipulated by conditions:-
  - Block and Location Plan [06] 1:500, 1:2500 @A2;
  - Existing Floor Plan [01] 1:50 @A2;
  - Existing North West and North East Elevations [02] 1:50 @A2;

- Existing South West and South East elevations [03] 1:50 @A2;
- Proposed Floor Plans [04] 1:50 @A2;
- Proposed Elevations [05] 1:50 @A2;
- Bat Scoping Survey.

- 3 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 4 Details of the proposed boundary treatment for the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of development and shall be completed prior to the occupation of the development to the satisfaction of the local planning authority.
- 5 Notwithstanding the provisions of schedule 2, part 1, classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that order with or without modification), no buildings/extensions shall be erected other than those expressly authorised by this permission and shown on plan numbers:
  - Proposed Floor Plans [04] 1:50 @A2;
  - Proposed Elevations [05] 1:50 @A2;
  - Block and Location Plan [06] 1:500, 1:2500 @A2.
- 6 The first floor windows in the south west and north east elevations shall be obscure glazed and un-openable except for a fan light.
- 7 Prior to the construction of the dwelling hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the dwelling have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

## REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 In the interest of highway safety and visual amenity.
- 4 In the interests of general amenity.
- 5 To control future development on the site in the interests of residential and visual amenity of the surrounding area.
- 6 To ensure no detrimental harm to the privacy of neighbouring occupiers.
- 7 In the interests of visual amenity and the character and appearance of the Llansaint Conservation Area.

## SUMMARY REASONS FOR APPROVAL

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

- The proposal complies with Policy SP13 and EQ1 of the adopted Carmarthenshire Local Development Plan (2014) in that the proposed dwelling will not adversely affect existing buildings, structures, open spaces, trees and other features which make a positive contribution to the character and appearance of the conservation area. The proposal will ensure the Llansaint Conservation Area is preserved and enhanced.
- The proposal complies with Policy GP1 of the adopted Carmarthenshire Local Development Plan (2014) in that it conforms with and enhances the character and appearance of the site and area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing and 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 or amenity of adjoining occupiers
- The proposal complies with Policy H2 of the adopted Carmarthenshire Local Development Plan (2014) in that the site is within the settlement limits of Llansaint and there are no amenity, highway safety or utility provision objections. It also complies with other policies and provisions in the plan.
- The proposal complies with Policy TRS3 of the adopted Carmarthenshire Local Development Plan (2014) in that in that it includes satisfactory parking and access arrangements.

## NOTE(S)

- 1 This permission is subject to a Unilateral Undertaking to secure financial contributions towards affordable housing that is payable prior to the commencement of any further works.
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

- 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).
- Please see the relevant responses from Natural Resources Wales, The Council's Highway Section and Planning Ecologist and refer to the recommendations and advice contained therein.

Dydd Iau, 10 Ionawr 2019

**YN BRESENNOL:** Y Cynghorydd A. Lenny (Cadeirydd)

**Y Cynghorwyr:**

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

**Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:**

L. Quelch, Y Pennaeth Cynllunio  
J. Edwards, Rheolwr Datblygu & Treftadaeth Adeiledig  
J. Thomas, Uwch Swyddog Rheoli Datblygu [y De]  
R. Davies, Swyddog Rheoli Datblygu [y De]  
S. Murphy, Uwch-gyfreithiwr  
Z. A. Evans, Swyddog Priffyrdd  
M. S. Davies, Swyddog Gwasanaethau Democrataidd  
J. Laimann, Swyddog Gwasanaethau Democrataidd Cynorthyol

**Hefyd yn bresennol ynghylch S/36948:**

G. Morgan, Ymgynhorwr Fframwaith i'r Cyngor (Atkins)

**Y Siambr, Neuadd y Sir - 1.00 - 3.20 pm**

**1. YMDDIHEURIADAU AM ABSENOLDEB.**

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr S. Allen, M. Charles a J. James.

**2. DATGAN BUDDIANNAU PERSONAL.**

<b>Y Cynghorydd</b>	<b>Rhif y Cofnod</b>	<b>Y Math o Fuddiant</b>
J. Prosser	3 – Cais cynllunio S/37933 - Estyniad unllawr yng nghefn yr eiddo gyda balconi ar y llawr cyntaf yn 105 Pentre Nicklaus, Llanelli, SA15 2DF	Mae'n adnabod y gwrthwynebydd. Mae'r Cynghorydd wedi bod yn cynnig cyngor i bawb sy'n rhan o'r mater.
D. Phillips	3 – Cais cynllunio S/37933 - Estyniad unllawr yng nghefn yr eiddo gyda balconi ar y llawr cyntaf yn 105 Pentre Nicklaus, Llanelli, SA15 2DF	Mae'n adnabod asiant yr ymgeisydd.

**3. S/37933 - ESTYNIAD UNLLAWR YNG NGHEFN YR EIDDO GYDA BALCONI AR Y LLAWR CYNTAF YN 105 PENTRE NICKLAUS, LLANELLI SA15 2DF.**

[SYLWER: Gan eu bod wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd y Cynghorydd D. Phillips a'r Cynghorydd J. Prosser Siambr y Cyngor cyn i'r Pwyllgor ystyried y mater a phenderfynu arno].

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu at ymweliad preifat y Pwyllgor â'r safle'n gynharach y diwrnod hwnnw (gweler cofnod 5.2 cyfarfod y Pwyllgor Cynllunio ar 13 Rhagfyr 2018) a drefnwyd er mwyn i'r Pwyllgor gael golwg ar y safle. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad ysgrifenedig y Pennaeth Cynllunio a oedd yn rhoi arfarniad o'r safle, ynghyd â disgrifiad o'r datblygiad arfaethedig, crynodeb o'r ymatebion a gafwyd i'r ymgynghoriad a gwybodaeth am y polisiâu lleol a chenedlaethol a oedd yn berthnasol wrth asesu'r cais. Dywedodd fod y Pennaeth Cynllunio yn argymhell cymeradwyo'r cais am y rhesymau y manylwyd arnynt yn yr adroddiad ysgrifenedig.

Cafwyd sylw a wrthwynebai'r cais ac a ailbwysleisiai'r gwrthwynebiadau a oedd wedi'u nodi yn adroddiad y Pennaeth Cynllunio, lle mai'r prif bryderon oedd colli preifatrwydd gan y gellid edrych dros eiddo eraill o'r balconi arfaethedig, colli golau'r haul yn y bore, gwaethygu problemau draenio yn yr ardd, a'r pryder y gallai gwerth eiddo cyfagos ostwng. Felly, ym marn y gwrthwynebydd, roedd y cais yn mynd yn groes i Bolisi GP1 a Pholisi GP6 Cynllun Datblygu Lleol Sir Gaerfyrddin.

Ymatebodd asiant yr ymgeisydd i'r materion a godwyd gan y gwrthwynebydd.

**PENDERFYNWYD caniatáu Cais Cynllunio S/37933 yn amodol ar yr amodau y manylwyd arnynt yn adroddiad y Pennaeth Cynllunio.**

#### **4. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO.**

**PENDERFYNWYD YN UNFRYDOL fod bryd y Pwyllgor Cynllunio ar gymeradwyo'r cais canlynol, yn amodol ar ddatrys y materion a godwyd gan Gyfoeth Naturiol Cymru ynghylch yr Aseiad Canlyniad Llifogydd, gohebiaeth bellach gan Lywodraeth Cymru ynghylch y Cyfarwyddyd Erthygl 18, a'r amodau y manylwyd arnynt yn adroddiad/atodiad y Pennaeth Cynllunio:**

**S/36948 – Datblygiad Llesiant a Gwyddor Bywyd gan gynnwys: Canolfan Iechyd Cymuned (Sefydliad Gwyddor Bywyd, Canolfan Addysg Llesiant a Chanolfan Darpariaeth Glinigol) hyd at 16,500 metr sgwâr (Dosbarthiadau Defnydd: D1 Sefydliad Amhreswyl, B1 (B) Ymchwil a Datblygu o ran Busnes, a C2 Sefydliad Preswyl). Canolfan Fusnes Gwyddor Bywyd (swyddfeydd yn y Sector Ymchwil a Datblygu) hyd at 10,000 metr sgwâr (Dosbarth Defnydd: B1 (B) Ymchwil a Datblygu o ran Busnes a B2 Diwydiant Ysgafn). Canolfan Llesiant (canolfan ymwelwyr a chyfleusterau corfforaethol, cymunedol, hamdden a chwaraeon) hyd at 11,000 metr sgwâr (Dosbarth Defnydd: D2 Ymgynnull a Hamdden). Byw â chymorth (gofal nyrsio, gofal preswyl, tai gofal ychwanegol a chyfleusterau adsefydlu clinigol) sy'n cynnwys hyd at 370 o welyau/unedau a 7,500 metr sgwâr (Dosbarthiadau Defnydd: C2 Sefydliad Preswyl, C3 (A) a C3 (B) Preswyl). Lle hamdden awyr agored cysylltiedig, manau hamdden a therapi; tirweddu a lleoedd parcio ar dir yn Llynnoedd Delta, Llanelli, ym Mhentref Llesiant a Gwyddor Bywyd Llanelli, tir yn Llynnoedd Delta, Llanelli.**

Dywedodd y Pennaeth Cynllunio fod llythyr wedi dod i law oddi wrth Lywodraeth Cymru ers i'r agenda a'r atodiad gael eu cyhoeddi. Roedd y llythyr yn nodi y gofynnwyd i Weinidogion Cymru alw'r cais i mewn ac ystyried penderfynu ynghylch y cais eu hunain. Felly, roedd y llythyr yn cyfarwyddo'r Awdurdod Cynllunio Lleol [yn unol ag Erthygl 18 o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012] i beidio â chaniatáu'r cais cynllunio cyn iddo gael ei awdurdodi gan Weinidogion Cymru. Roedd y llythyr yn nodi bod y Cyfarwyddyd hwn ond yn atal y Cyngor rhag caniatáu'r cais cynllunio. Nid oedd yn atal yr Awdurdod a'r Pwyllgor Cynllunio rhag parhau i brosesu ac ymgynghori ynghylch y cais neu rhag gwrthod y cais cynllunio. Dywedodd y Pennaeth Cynllunio fod yr Awdurdod Cynllunio Lleol yn dal i aros am benderfyniad Gweinidogion Cymru ynghylch a fyddant yn galw'r cais i mewn neu beidio er mwyn iddynt benderfynu yn ei gylch. Os oedd bryd y Pwyllgor ar gytuno â'r argymhellion a nodwyd yn yr adroddiad a'r atodiad, byddai'n gwneud penderfyniad heddiw fod ei fryd ar gymeradwyo'r cais hyd nes y gwneir penderfyniad ynghylch galw'r cais i mewn.

Daeth sylw i law a wrthwynebai'r datblygiad uchod ac a ailbwysleisiai'r pwyntiau y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio, gan gynnwys y pwyntiau canlynol:

- Nid oedd yr asesiad llifogydd yn rhoi ystyriaeth lawn i effeithiau posibl y newid yn yr hinsawdd. Mae'r safle yn agored i lifogydd yn sgil ymchwyddiadau enfawr y llanw a achosir gan gorwyntoedd dros yr Iwerydd, yn enwedig gan fod corwyntoedd o'r fath wedi digwydd yn amlach dros y blynyddoedd diwethaf. Mae cynnydd yn lefelau'r môr yn debygol o waethygu'r perygl o lifogydd yn y dyfodol. Nid oedd pryderon Cyfoeth Naturiol Cymru ynghylch hirhoedledd y safle wedi'u hateb yn ddigonol.
- Dan gynllun GlawLif Llanelli Dŵr Cymru, byddai dŵr glaw yn cael ei bwmpio i'r llyn ar y safle ar ôl unrhyw achos o law. Nid oedd yr adroddiad wedi cynnwys unrhyw asesiadau hydroleg mewn perthynas ag effaith y cynllun hwn.
- Nid ystyriwyd bod ehangu'r mynediad i gyffordd Cylchfan y Sandy, sydd ar un o'r prif lwybrau arfaethedig i'r safle ar gyfer ymwelwyr o Borth Tywyn, Pen-bre a Chaerfyrddin, yn ateb digonol i'r cynnydd disgwylidig mewn traffig yn y man hwn lle ceir tagfeydd traffig mawr. Ni roddwyd sylw digonol i'r gofidiau ynghylch llygredd aer a'r peryglon iechyd yn sgil hynny.

Ymatebodd asiant yr ymgeisydd a'r Swyddog Rheoli Datblygu i'r materion a godwyd gan y gwrthwynebydd.

---

## CADEIRYDD

---

## DYDDIAD

[SYLWER: Mae'r cofnodion hyn yn dilyn trefn y materion oedd ar agenda'r cyfarfod, a allai fod yn wahanol i drefn y materion mewn unrhyw weddarlliediad gan y byddid wedi ymdrin gyntaf ag unrhyw geisiadau yr oedd aelodau o'r cyhoedd yn bresennol i siarad amdanynt.]

Mae'r dudalen hon yn wag yn fwriadol