

Pecyn Dogfennau



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

DYDD MAWRTH, 12 MAWRTH 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
12.00 YP, DYDD MAWRTH, 19EG MAWRTH, 2019** ER MWYN CYFLAWNI'R
MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

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www.carmarthenshire.gov.wales

PWYLLGOR CYNLLUNIO 20 AELOD

Y GRŴP PLAID CYMRU – 10 AELOD

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

Y GRŴP LLAFUR – 6 AELOD

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

Y GRŴP ANNIBYNNOL – 4 AELOD

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

NI CHANIMATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

Aelodau Lleol a gwahoddir i fynychu'r cyfarfod: Eitem 3.1 - Cynghorwyr. F. Akhtar & S Davies

A G E N D A

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGAN BUDDIANNAU PERSONOL
3. YSTRIED ADRODDIADAU'R PENNAETH CYNLLUNIO
YNGHYLCH Y CEISIADAU CYNLLUNIO CANLYNOL [YR
YMWELODD Y PWYLLGOR A'U SAFLEOEDD YN FLAENOROL] A
PHENDERFYNU AR Y CEISIADAU
 - 3.1 S/34991 - DATBLYGIAD PRESWYL O HYD AT 94 O
BRESWYLFYDD, MYNEDIAD I GERBYDAU O HEOL
MAES-AR-DDAFEN, LLE AGORED, TIRWEDDU A
SEILWAITH CYSYLLTIEDIG ARALL AR DIR YNG
NGHEFNCAEAU, ODDI AR HEOL MAES-AR-DDAFEN AC
ERWLAS, LLWYNHENDY, LLANELLI 5 - 24
 - 3.2 S/38295 - ADEILADU TY NEWYDD Â GAREJ O DAN YR
UNTO AR LAIN 3, HEOL BRONALLT, FFOREST,
LLANELLI, SA4 7TE 25 - 34
4. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO 35 - 74
5. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU
CYNLLUNIO 75 - 98
6. LLOFNODI YN COFNOD CYWIR COFNODION Y CYFARFOD A
GYNHALIWYD AR 19EG CHWEFROR, 2019 99 - 102

Mae'r dudalen hon yn wag yn fwriadol

Application No	S/34991
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Application Type	Outline
Proposal & Location	RESIDENTIAL DEVELOPMENT OF UP TO 94 DWELLINGS, VEHICULAR ACCESS FROM MAES-AR-DDAFEN ROAD, OPEN SPACE, LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE AT LAND AT CEFNCAEU, OFF MAES-AR-DDAFEN ROAD AND ERWLAS, LLWYNHENDY, LLANELLI

Applicant(s)	TATA STEEL UK LIMITED, C/O AGENT,
Agent	TURLEY - RHIANON BOULTON, 18 WINDSOR PLACE, CARDIFF, CF10 3BY
Case Officer	Paul Roberts
Ward	Llwynhendy
Date of validation	18/01/2017

CONSULTATIONS

Head of Highways and Transport - Has raised no objection to the application subject to the imposition of suitable conditions on any permission granted.

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

Head of Public Protection and Housing – Has raised no objection to the application subject to the imposition of suitable conditions on any permission granted.

Llanelli Rural Council – Has objected to the application on the following grounds:-

- Concerns that the existing public sewer will not be able to cope with the additional development.
- The area is prone to flooding and ground conditions to the south of the site are often waterlogged.
- The development will displace surface water to other areas.
- Impact upon the local community and general infrastructure.
- Loss of water vole habitat and potential removal of trees and hedgerows.
- Detrimental impact of additional traffic upon surrounding road infrastructure.

Notwithstanding the above concerns, the Council has requested that the following community benefits and improvements be secured to mitigate the impacts of the development should the Planning Authority be minded to approve the application:-

- Road improvements in the area including off road parking for residents of nearby housing estates.
- A pedestrian crossing at the Avenue in Llwynhendy Road.
- A new community hall facility and improvements to existing parks and play areas as well as new play facilities to support the site.

Local Member - County Councillor F Akhtar has objected to the application on the following grounds:-

- Flooding.
- Overdevelopment of the site that will be overbearing and out of character with the area.
- Detrimental impact upon highway safety.
- Impact upon foul and surface water drainage.
- Impact upon the Loughor and Burry Estuaries.
- Detrimental impact upon ecology and habitats.
- The effect upon the residential amenity of neighbours by way of noise, disturbance, overlooking and overshadowing.
- Loss of existing views and impact upon the landscape.
- Lack of infrastructure including education and health facilities.
- Adverse impact upon Wildfoul and Wetland Centre environs.

County Councillor S Davies has objected to the application for the following reasons:-

- The area is prone to flooding and ground conditions in the site are often waterlogged.
- Lack of existing sewer capacity.
- Displacement of surface water causing flooding elsewhere.
- More sewage discharges to the Loughor and Burry Estuary.
- Loss of habitats including water voles, hedgehogs, bats and newts.
- Loss of trees and hedgerows.
- Added traffic onto already busy roads in the Llwynhendy area.
- Lack of infrastructure, school places, health facilities and public transport.
- Overdevelopment and unacceptably high density being out of character with existing development in the area.
- Loss of existing views and impact upon the landscape.
- Increased air pollution.
- Adverse impact upon Wildfoul and Wetland Centre environs.

Councillor Davies has requested that the Planning Committee undertakes a site visit in order to consider the above concerns. Moreover, she requests the following community benefits and improvements if the application is approved:-

- Community hall for Llwynhendy/Pemberton residents.
- Roadway, footpath and public transport improvements.
- Off road parking facilities in surrounding housing estates.
- New pedestrian crossings on the surrounding road network.
- Improvements to Tir Eynon Park to provide a new park and multi-use games area (MUGA).

Tudalen 6

- Improvements to library facilities.

County Councillor D Cundy is the local member for the neighbouring Bynea Ward and has raised the following issues of concern:-

- Loss of flood plain and flooding impact upon Bynea/Llwynhendy.
- Increased traffic through Bynea.
- Lack of education infrastructure.
- Impact upon flora and fauna including water voles and otters.
- Adverse impact upon Wildfowl and Wetland Centre environs.
- The need for adequate parking.

The Coal Authority – Have confirmed that they are satisfied with the findings of the Ground Conditions Desk Study Report submitted with the application and have raised no objection subject to the imposition of a suitable condition on any permission granted securing the submission of intrusive site investigations of potential former coal mine workings within the site and the implementation of any necessary remedial measures as part of the development.

Dwr Cymru/Welsh Water – Have examined the drainage proposals submitted with the application and confirmed that they have no objection subject to the imposition of suitable conditions.

Natural Resources Wales (NRW) - Has raised no objection to the application subject to the imposition of suitable conditions.

Public Rights of Way – Has raised no objection to the application and draws reference to drainage problems along the footpath to the south of the site.

Health and Safety Executive – Has raised no objection to the application.

Dyfed Archaeological Trust – Has raised no objection to the application.

Neighbours/Public – The application has been publicised with the posting of a number of site notices within the vicinity of the site and the publication of a notice in the local newspaper. Subsequent amendments to the development as part of the application process and the submission of additional supporting information by the applicant, also required further re-consultation exercises, whereby further site notices were posted and an additional press notice published in the newspaper.

As a result of these publicity exercises, fourteen third party letters of representation have been received from neighbouring residents who object to the application. The objections are summarised below:-

- Flooding.
- Detrimental impact upon highway safety.
- Unacceptably high density and out of keeping with character of the area.
- Impact upon existing schools and health facilities.
- Foul and surface water impacts.
- Concerns regarding flora and fauna within the site.
- Impact upon neighbours by way of noise, disturbance, overlooking and overshadowing.

- Loss of existing views and impact upon landscape.
- Adverse impact upon Wildfowl and Wetland Centre environs.
- Footpaths neighbouring the site currently flood and the development should mitigate existing surface water flooding and improve the drainage of the area.
- Inappropriate location in terms of access to local services, transport and utility services and public amenity.
- Foul sewage flows to the River Loughor and Burry Estuary.
- The layout of development shown with 3 storey houses will result in an imposing development that will overlook neighbouring properties and be out of character with the area.
- Layout of development will affect the trees bordering the site.
- Previous application was the subject of an EIA relating to the impact upon the Burry Estuary.
- Ground contamination and old mine workings in the site.

RELEVANT PLANNING HISTORY

The following previous applications are of relevance to the proposal:-

S/15581	Residential development together with associated highway and junction improvements, car parking and servicing, open space and landscaping, and other ancillary uses and activities Withdrawn	6 June 2014
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APPRAISAL

This is an application in which Carmarthenshire County Council has an interest insofar as the highway verge within the site is within the ownership of the Council.

THE SITE

The application site consists of a roughly square shaped parcel of land located at the southern end of Maes-Ar-Ddafen Road in Cefncaeau, Llwynhendy. It covers an area of approximately 2.1 hectares consisting mainly of improved horse grazed grassland with scattered areas of scrub and trees. The land slopes down gently towards its southern boundary which is contiguous with a public footpath. It has a frontage onto Maes-Ar-Ddafen Road which is currently closed off to traffic and separates the site from the Parc y Scarlets Stadium which is located immediately to the north west.

The properties of Heol Hen are located to the south east of the site being separated from the land by a belt of mature trees and hedgerows. The land to the north previously consisted of Ysgol yr Ynys primary school which has since been demolished and is now derelict consisting of hardstanding areas and marshy grassland.

The A484 is located beyond the footway to the south of the site being set on an embankment above the site and flanked by trees and hedgerows. The Tata Steel Works are located beyond the A484. Pemberton Retail Park is located to the west of the site and the neighbouring stadium while the land to the south east, beyond Heol Hen, is characterised by a number of large field enclosures that flank the northern side of the A484.

The surrounding residential areas of Cefncaeau to the north and east of the site consist of high density former local authority housing estates that are characterised by terraced and semi-detached houses. These include the Ynys-las, Bro-wen and Tir Einon estates. There are a small number large detached properties located along southern end of Heol Hen to the south east of the site with an existing playground and recreation area beyond these.

THE PROPOSAL

The application seeks outline planning permission for residential development of up to 94 dwellings on the site together with associated access, landscaping, drainage and infrastructure works. All detailed matters relating to the development have been reserved for future consideration and, as such, the application seeks to establish the principle of the development of the site.

It is of note that the original application included a further separate parcel of land measuring 7.8 hectares in area to the east of Heol Hen and north of the A484 which was also to be developed for residential purposes. Both parcels were to accommodate up to 280 dwellings, however, the larger parcel was subsequently omitted from the application following concerns raised by NRW regarding the risks of flooding to this land.

The applicant has provided a schematic layout plan of the development for illustrative purposes to demonstrate how the site could be developed in an acceptable manner. The site is shown to be accessed from Maes-Ar-Ddafen Road with the access being created opposite the stadium. The primary access road forms a loop within the development with secondary and shared surface streets leading to the development and individual dwellings. The residential units are set around the site boundaries and roadway with a mixed density and massing allowing a transition between the scale of the neighbouring stadium and residential areas. The scheme shows a central core wherein units have a dual frontage overlooking the street and generous area of open space. The units in the western and central parts of the site, closest to the stadium, are shown to be up to three storeys in height while those to the east are to be reduced to up to 2.5 storeys to reflect the scale of the neighbouring residential properties of Heol Hen. The density of the site will be between 40 and 55 dwellings per hectare.

Parking within the scheme will consist of driveways set predominantly to the side of the units with garages also set behind the building line. The layout will aid in reducing the visual dominance of cars and provide a more pleasant and aesthetically pleasing streetscape.

The existing trees and hedgerows along the site's boundaries are to be retained as part of the development with new landscaping and planting frameworks being provided throughout the development layout. Moreover, the scheme incorporates a pedestrian access to the existing public footpath to the south of the site

The application has been accompanied by a range of supporting information which include the following:-

- Design and Access Statement
- Transport Assessment
- Flood Consequence Assessment and Drainage Strategy.
- Ground Conditions Desk Study
- Noise Assessment
- Ecological Appraisal and Arboricultural Assessment

- Archaeological and Heritage Assessment
- Air Quality Assessment

The transport assessment considers the highway impacts of the development upon the surrounding road network in terms of both capacity and safety. It concludes that the access to the development via Maes-Ar-Ddafen will cause no unacceptable highway impacts while the scale of the development will have negligible effect on surrounding highway junctions. The assessment also confirms that the site is in a sustainable location being situated close to key local facilities and amenities as well as existing sustainable transport infrastructure.

The flood consequence assessment confirms that the site falls within zone A of the development advice maps contained in TAN15 whereby it is not affected by fluvial or tidal flooding. The drainage strategy sets out a strategy to dispose of surface water from the development to an existing watercourse to the south east of the site via a gravity piped system that will include a below ground cellular attenuated system and swale or basin feature above to allow for a 1 in 30 year rainfall event and an allowance for climate change. The water will be piped along the existing public footpath to an outfall into the watercourse with the discharge being restricted to Greenfield rates.

Foul water from the development will be discharged to the existing public sewer in the south eastern corner of the site. The application is also accompanied by a scheme of surface water removal from the combined public sewer that will provide betterment to the network by removing a volume of surface water from the system greater than that generated by the development itself. The scheme centres around Maestir in Llanerch Llanelli where surface water run-off from the roadway, footways and roofs of existing properties, which cover a combined impermeable area of 3,966 square metres, will be diverted from the public sewer and discharge directly to nearby River Lliedi via a new outfall headwall.

The scheme is in compliance with the requirements and objectives of the Memorandum of Understanding (MOU) which sets out the partnership approach between Carmarthenshire County Council, the City and County of Swansea, Natural Resources Wales and Welsh Water to improve and safeguard the environmental quality of the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet and, Burry Inlet Special Protected Area (SPA) and Burry Inlet Ramsar, collectively known as the Carmarthen Bay and Estuaries European Marine Site (CBEEMS).

The ecological appraisal confirms that the site is considered to be of negligible ecological value. The trees present around the site are considered to be of ecological value and are therefore to be retained as part of the development. It highlights that the loss of scrub and trees in the north western corner of the site will be mitigated for through the creation and enhancement of existing landscape features.

The noise assessment confirms that the noise impact upon the new dwellings from the neighbouring Stadium and Tata Steel Works would not be significant so as to unacceptably harm the amenity of the occupiers. Moreover, it advises that mitigation in the form of acoustic double glazing and boundary measures to those elevations and gardens facing the A484 to the south of the site will provide an acceptable level of residential amenity to the occupiers.

The ground conditions study recognises the presence of a historic landfill site and the potential for coal workings beneath the site and therefore recommends an intrusive site investigation be undertaken to confirm existing ground conditions and any contamination.

The air quality assessment confirms that the proposal will have no unacceptable air quality impacts while the archaeological and heritage assessment concludes that the development will not result in any harm to the historic environment.

Community Benefits

The applicants have agreed to enter into a Section 106 Agreement that will secure the following level of community benefits as part of the development. The precise level of contributions have been agreed following negotiations and discussions with officers of this Department as well as the relevant service providers of the Authority.

- 1 **Affordable Housing** - A total of 20% of the units proposed are to be 'affordable'. On the basis of a scheme of 94 units this would equate to 19 new affordable dwellings being provided as part of the development. The precise type, mix and tenure of the units are to be agreed with the Authority as part of any subsequent reserved matters application.
- 2 **Play Facilities/Open Space** - A financial contribution of £173,000 towards the improvement of the existing play and open space facilities Tir Eynon Park.
- 3 **Education Facilities** – A commuted sum towards the provision/improvement of educational facilities within the local primary and secondary catchment schools which will be calculated on the basis of the Authority's Supplementary Planning Guidance formula, the number of units proposed and the current capacity of the relevant catchment schools. Based on a development of 94 units and the current capacities of the relevant catchment schools, this would equate to a contribution of £108,500.
- 4 **Highway Improvements** – A commuted payment of £75,000 towards the improvement of Active Travel Routes in the surrounding area. This will include, amongst others, the improvement of pedestrian and cycle routes and the provision of a pedestrian crossing on Llwynhendy Road to the north of the application site.

PLANNING POLICY

Local Development Plan (LDP)

In the context of the Authority's current Development Plan the application site is located within the development limits of Llanelli as defined in the adopted LDP. The site forms part of a larger area of land designated as a housing allocation in the Plan which includes the neighbouring derelict site of the former Ysgol yr Ynys School to the north and the large parcel of land to the east of Heol Hen which originally formed part of the application. Housing allocation reference GA2/H35 refers. The overall housing allocation is identified as accommodating 300 dwellings under Policy H1, however, this figure is indicative for the purposes of the Plan.

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

In terms of the Plan's strategic policy context, Policy SP1 promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

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

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

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

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

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

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

Policy GP1 is a general policy which, amongst others, promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to have regard to the generation, treatment and disposal of waste.

Policy GP2 permits proposals within defined development limits subject to the policies and proposals of the plan, national policies and other material planning considerations.

Policy GP3 states that the Council will, where necessary seek developers to enter into planning obligations or to contribute via the Community Infrastructure Levy to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments. Allied to this, Policy AH1 states that a contribution towards affordable housing will be required on all housing allocations and windfall sites. It goes on to state that the Council will seek a level of affordable housing of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub market areas. The application site falls within the 20% viability area.

Policy AH2 permits proposals for 100% affordable housing on sites immediately adjacent to the development limits of defined settlements in circumstances where, amongst others, it represents a logical extension to the development limits and is of a scale appropriate to and in keeping with the character of the settlement. The benefits of the affordability of the

dwellings must also be retained for subsequent occupants while the size, scale and design of the houses must be compatible with an affordable dwelling.

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

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

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

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. Reference is also made to the need to meet required access and parking standards as well as promoting the interests of pedestrians, cyclists and public transport as part of proposals.

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

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

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

Policy EP3 requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated. Furthermore, Policy EP6 states that in areas where land instability is known, proposals must be accompanied by a scoping report to ascertain the nature of the instability.

Policy REC2 requires that all new development of five or more units will be required to provide on-site open space in accordance with the Council's adopted standards. Policy REC3 makes provision for new open space proposals within the Plan area.

National Planning Policy

Planning Policy Wales (PPW) (Edition 10, November 2018) provides a national overview of planning policy on a wide range of issues relevant to the proposed development.

It highlights the need to provide a range and choice of housing to respond to changes in household need and that the provision of quality housing with access to services, green spaces and community facilities helps to create the right conditions for better health and well-being. Furthermore, it advocates locating new housing within existing settlements to allow people to travel to places of employment, retailing and other community services by walking, cycling or public transport.

The document refers to the need for new housing in both urban and rural areas to include a mix of market and affordable house types, tenures and sizes to cater for a range of identified housing needs and contribute to the development of sustainable and cohesive communities. It highlights that a community's need for affordable housing must be taken into consideration in determining planning applications.

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

TAN 2 (Planning and Affordable Housing) provides guidance on the role of the planning system in delivering affordable housing.

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

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

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

TAN 18 (Transport) endeavours to ensure Wales develops an efficient and sustainable transport system to meet the needs of a modern, prosperous and inclusive society.

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

THIRD PARTY REPRESENTATIONS

The application has attracted a number of objections from local residents while the local members and Llanelli Rural Council have also raised concerns regarding the development. It is of note that the majority of the third party representations from local residents were received in respect of the original proposal for up to 280 dwellings with only two having been

received in respect of the revised scheme now proposed. The issues raised are addressed in the following appraisal.

A common ground for concern amongst respondents is that the existing highway network in the surrounding area is inadequate to safely accommodate the additional traffic generated by the development. A number have referred to the need for adequate parking within the development while County Councillor S Davies and the Rural Council have requested improvements to pedestrian, parking and public transport facilities in the local area if the Authority are minded to grant planning permission.

The Head of Highways and Transport has assessed the application and the findings of the transport assessment and confirmed that he has no objection from a highway capacity or safety perspective. He is satisfied that the likely additional traffic can be safely accommodated on the local highway network serving the site and surrounding residential area. Notwithstanding this, he does identify improvements that are required to the Authority's Active Travel routes in the local area in order to improve the sustainable linkages from the site to the surrounding area and its associated services and facilities. These include the need to improve pedestrian and cycling routes within the vicinity of the site and Pemberton and Trostre Retail Parks as well as providing a new pedestrian crossing across Llwynhendy Road to provide a safer route to the local schools and community hall.

The applicant has agreed to pay a financial contribution of £75,000 towards these improvements which will be secured via a Section 106 Agreement. Although the respondents have sought other highway improvements as part of the development such as the provision of new parking in neighbouring housing estates and additional public transport facilities, these aren't considered reasonable or necessary for the purposes of the development whereby they would not meet the relevant tests for planning obligations. There are existing public transport facilities within a short walking distance of the site while it is not reasonable to require that the applicant address any perceived parking problems that may exist in neighbouring housing estates. Matters relating to parking within the development itself will be assessed as part of consideration of any subsequent reserved matters application.

The proposal is therefore considered to be in compliance with Policies SP1, SP3, SP9, GP1, and TR3 of the LDP in terms of its sustainability and highway impacts upon the surrounding area.

A further ground for concern relates to the drainage of the development while many are of the perception that the site is an area at risk from flooding and should not be developed. In terms of the latter, the site is located within zone A of the development advice maps contained in TAN15 whereby it is not affected by fluvial or tidal flooding. Whilst there are localised drainage problems along the footpath to the south of the site, this is a matter that could be considered as part of the detailed design of the development.

NRW and our land drainage officer have both raised no objection to the application from a flooding perspective. The latter has also confirmed his acceptance of the surface water drainage strategy proposed in that it will provide a sustainable means of disposal ensuring that no surface water will enter the public sewerage system and no detriment will be caused to neighbouring occupiers and landowners.

Turning to foul drainage, Welsh Water have raised no objection to the applicants' proposal to discharge foul water into the existing public sewer within the site. The surface water removal scheme proposed as part of the development will remove surface water run-off from an impermeable area of 3,966 square metres from the combined public sewer which is equivalent to the foul flows from 440 dwellings. This will equate to almost four and half times the volume of foul flows from the development being removed from the system which will provide substantial betterment to the combined sewer network in terms of its hydraulic capacity in accordance with the objectives of the MOU. This will safeguard against any detriment to the environmental quality of the CBEEMS.

In accordance with the requirements of the Conservation of Habitats and Species Regulations 2017, the Authority has undertaken an Appropriate Assessment of the impact of the development upon the CBEEMS. The Assessment concludes that, with the mitigation measures detailed in this report and secured by the conditions below, the development will not have a significant effect upon or undermine the conservation status of the CBEEMS. NRW have confirmed their acceptance of the findings of the Appropriate Assessment and raised no objection to the application.

The permission granted will be conditioned to require the submission and approval of the detailed design of the foul and surface water drainage scheme prior to the commencement as well as securing the betterment to the public sewerage system. The proposal is therefore in accord with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner without causing unacceptable harm to the wider environment.

Turning to concerns regarding the density of the development and the impact upon the character and appearance of the surrounding area. Whilst matters relating to the detailed layout and design of the scheme have been reserved for future consideration, it is considered that a development of the scale and density proposed can be accommodated within the site without compromising the quality of the scheme or detracting from the visual amenity and spatial character of the surrounding area. The site is bounded by stadium and housing developments to the west and east respectively and by the A484 to the south. The surrounding area is characterised by high density housing and the proposal will represent a logical extension to this existing urban form being in keeping with the prevailing pattern of development. Moreover, it is not considered that a mix of two to three storey housing will be harmful within the context of the scale and appearance of existing developments.

The site is well contained by mature hedgerows and trees along its perimeter, the retention of which combined with the careful siting and design of the units, will safeguard against any unacceptable material harm to local residents in terms of loss of residential amenity. A development scheme with a suitable design and layout combined with hard and soft landscaping and areas of open space, as depicted in the indicative layout plan, will respond well to the site's setting in the wider area as well as creating a sense of place.

The proposal is therefore in accord with the objectives of policies SP1, H2 and GP1 of the LDP in terms of its impact upon the surrounding area.

A number of respondents have concerns regarding the impact of the development upon local services and facilities such as schools and health facilities and question whether sufficient capacity exists to accommodate the development. The development will be well related to the services and facilities available in Llwynhendy as well as benefiting from good levels of accessibility to public transport facilities and the higher order facilities available in

the wider Llanelli area. The applicant will make a financial contribution towards the improvement of facilities within the local catchment schools and it is not envisaged that the range of health care services available in the wider area including doctor's surgeries and hospital facilities will be adversely affected by a development of the scale proposed. In this regard, the proposal is in accord with the requirements of Policy GP3 and SP1 of the LDP.

In terms of the respondents' wildlife and habitat concerns, the ecological appraisal confirms that the site is of low ecological value and the Authority's Planning Ecologist and NRW concur with its conclusions. They've both raised no objection to the proposal subject to the imposition of suitable conditions which secure, amongst others, the retention of the existing boundary trees and the implementation of a Landscape Ecological Management Plan as part of the development. The permission will be conditioned in accordance with their advice in the interest of complying with the ecological objectives of Policy EQ4 of the LDP.

Matters relating to ground contamination and mine workings within the site have been considered by NRW and the Coal Authority in their assessment of the proposal. NRW have recommended the imposition of suitable conditions on any permission securing a scheme of ground investigations and any necessary remediation measures as part of the development given the site's location on a former landfill. The Coal Authority have followed the same approach with regard to potential mine workings below the site. The permission granted will be conditioned in accordance with their advice.

The Authority's Head of Public Protection has raised no objection to the proposal from an air quality while concerns relating to the loss of existing views are not material in the consideration of the application.

Finally, as to requests to improve existing community facilities in the local area, members will have noted above that the applicant will make a financial contribution of £173,00 towards the improvement of existing facilities in the nearby park at Tir Einon which is located a short walking distance to the south east of the site. This will enable the existing play facilities to be improved whilst also providing a new multi-use games area facility for local children. The respondents' request to improve existing library facilities is not considered to be reasonable or directly related to the development. Notwithstanding this, members will have noted that the development will contribute to the improvement of existing educational facilities in the local catchment schools.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the principle of the residential development of the site is considered to be acceptable. The site is allocated for housing purposes and its development complies with the key policy and sustainability objectives of the Authority's LDP and national planning policy.

The site is well integrated with the existing pattern of development in Llwynhendy and is capable of accommodating a development of the scale and density proposed without compromising the quality of the scheme or detracting from the character and appearance of the surrounding area. The development will provide a wide range and choice of housing types and sizes which will be well related to the existing services and facilities in the wider Llanelli area as well as being within easy access of a variety of sustainable modes of transport. It will also contribute to the improvement of educational, open space and

pedestrian and cycling facilities in the surrounding area. The level of contributions secured are considered to be commensurate with the scale and nature of the development.

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

The application is therefore put forward with a favourable recommendation subject to successful completion of a Section 106 Agreement securing the community benefits referred to above.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The permission hereby granted relates to the land defined by the location plan contained in drawing no. 1003 received on 2nd October 2018.
- 2 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 3 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.
- 4 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
- 5 No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a programme of implementation of the scheme and shall be implemented in accordance with the approved details prior to the residential use of the development and retained in perpetuity.
- 6 No development shall commence until details of the design and implementation of the scheme of surface water removal from the public sewerage system, as set out in the Addendum to FCA /Drainage Strategy dated June 2018 and received on 25th June 2018 and accompanying surface water removal detail (aerial photograph) received on 13th February 2019, have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and to the written approval of the Local Planning Authority prior to the occupation of any of the residential units hereby approved.
- 7 No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. Such details are to form part of any Reserved Matters

application for the site and the development shall be carried out in accordance with the approved details.

- 8 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- (a) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
 - (b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (c) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

- 9 Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
- 10 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
- 12 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
- 13 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
- 14 No development shall take place until an intrusive site investigation for mine entries shallow coal workings and gas monitoring has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the intrusive site investigation shall be submitted to the Local Planning Authority prior to the commencement of the development. In the event that the site investigation confirm that remedial works are required, a scheme specifying the measures to be taken to remediate the site shall be submitted to and approved in writing by the Local Planning Authority. The remedial measures shall be carried out prior to the commencement of the development in accordance with the approved details.
- 15 No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP must include:
 - Construction methods: details of materials used in construction; details of how waste generated will be managed.
 - General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage site set-up plan detailing how sensitive receptors will be protected from harm e.g. fencing, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - Biodiversity Management during construction: details of habitat retention and protection; invasive species management; species and habitat protection, avoidance and mitigation measures (as detailed with the Ecology reports).
 - Soil Management: details of topsoil strip, storage and amelioration for re-use.
 - CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.

- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
- Resource Management: details of fuel and chemical site storage and containment; details of waste generation and its management; details of the consumption of water, wastewater and energy use.
- Traffic Management: details of site deliveries access points, storage and use of plant on site; details of wheel wash facilities.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities set out in the CEMP and emergency contact details. For example, contract manager, site manager, contractors, visitors, site environmental advisor, landscape clerk and ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented in accordance with the approved details.

16 No development shall commence until a Landscape Ecological Management Plan (LEMP) for the provision, management and maintenance of the landscape and ecological features for the development, has been submitted to and approved by the Local Planning Authority. The LEMP shall include:

- Details of habitats, landscape, environmental and ecological features present or to be created at the site.
- Details of the desired conditions of features (present and to be created) at the site.
- Details of scheduling and timings of activities.
- Details of short and long-term management proposals, monitoring proposals and maintenance operations of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired landscape and ecological conditions and functions.
- Details of monitoring of landscape and ecological features and required post construction monitoring.
- Details of replacement measures should any landscape or environmental features die, be removed or become seriously damaged or diseased within the lifetime of the development.
- Details of management and maintenance responsibilities.

- Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed between interested parties.
- Mechanisms to be used for reporting.
- The LEMP must deliver all mitigation and enhancement requirements for the operational phase as referenced in the ecology reports and associated documents.

The LEMP shall be carried out in accordance with the approved details.

- 17 During the construction phases, no works or construction shall take place other than within the hours of 08:00 – 18:00 Monday – Friday, Saturday 08:00 – 13:00 and not at all on Sundays, Bank or Public Holidays.

REASONS

- 1 For the avoidance of doubt as to the extent of this permission.
- 2+3 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990
- 4 In order to ensure a satisfactory layout of the site and in the interest of visual amenities.
- 5 To ensure the development is drained in a sustainable and acceptable manner.
- 6 To protect the existing community and the environment from the adverse effects of sewage flooding.
- 7 In the interests of visual amenity.
- 8 Controlled waters at this site are of high environmental sensitivity, being on Secondary A Aquifer and contamination is known at the site due to its previous use as a landfill.
- 9+10 To demonstrate and ensure that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality.
- 11 Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.
- 12 There is an increased potential for pollution from inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins.
- 13 There is an increased potential for pollution of controlled waters from inappropriate methods of piling.

- 14 To ensure any ground instability issues are dealt with in an acceptable manner.
- 15 To prevent the pollution of the environment.
- 16 In the interests of visual amenity and to safeguard and enhance existing features of landscape and biodiversity value.
- 17 In the interest of safeguarding residential amenity.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development complies with Policies SP1, SP3 and GP1 of the LDP in that it consists of a sustainable form of development that is appropriate in scale and design to the existing urban form of the area and is not likely to cause unacceptable harm to neighbouring properties.
- The proposed development complies with Policy H1 and H2 of the LDP in that it is allocated for residential development purposes within the Plan. Furthermore, the proposal is in accord with policies AH1 and AH2 of the LDP in that it will provide a proportion of affordable housing.
- The proposed development complies with Policies SP9, GP1 & TR3 of the LDP in that the proposal is located in a sustainable location and will not be detrimental to highway safety.
- The proposed development complies with policies EQ4, EP2 and EP3 of the LDP in that it will not result in any unacceptable ecology, flooding or pollution impacts.
- The proposed development complies with policy GP4 in that it will be served by infrastructure that is adequate to meet the needs of the development.
- The proposed development complies with policies GP3, REC2 and REC3 of the LDP in that provision is to be made for improvements to open space, education and pedestrian and cycling facilities in area.

NOTES

- 1 The applicant/developer is advised that this permission is granted subject to the completion of a Section 106 Agreement securing a proportion of affordable housing as well as commuted payments towards the improvement of education, open space and pedestrian/cycling facilities as part of the development.
- 2 Further advice and guidance from consultees is provided in their consultation responses which can be viewed on the Authority's website. This may include reference to other relevant permissions and legislation.

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

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

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

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

Application No	S/38295
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF NEW HOUSE WITH INTEGRAL GARAGE AT PLOT 3, HEOL BRONALLT, FFOREST, LLANELLI, SA4 7TE

Applicant(s)	MR NEIL EBORN, 48 CLAYTON DRIVE, PONTARDULAIS, SWANSEA, SA4 8AD
Agent	ROBERT HIGGINS ARCHITECT - MR ROBERT HIGGINS, 105 PENYBANC ROAD, PENYBANC, AMMANFORD, SA18 3QP
Case Officer	Zoe James
Ward	Hendy
Date of validation	15/01/2019

CONSULTATIONS

Head of Transport – Has raised concerns regarding visibility and parking as one of the car parking spaces is positioned within 2.4m of the edge of the carriageway. Also noted that the car parking spaces were below standard size. A revised plan has been received which repositions and increases the size of the proposed the parking spaces. Highways have now confirmed no objection subject to a condition regarding visibility splays.

Llanelli Rural Council - No observations received to date.

Local Member - Councillor Gareth Thomas is a member of the Planning Committee and has requested that the application be brought to the Planning Committee and that a site visit is undertaken in order for members to view the location and any impact of the development on surrounding properties.

Dwr Cymru/Welsh Water – No objection subject to a condition restricting surface water drainage discharging to the public sewerage network.

Sustainable Drainage Approval Body – Raises concerns regarding siting of a soakaway at the site due to the sloping nature and proximity of the neighbour's house at the lower end. Recommends that on-site infiltration tests in accordance with BRE365 are undertaken to ensure no detrimental impact on the lower neighbour's property. The agent has been informed of the response.

Public Rights of Way – Initially commented stating that no regard has been given to the existence of Footpath 34/43 and if planning permission is to be granted, conditions are

required. However, have since confirmed that the route of Footpath 34/43 was incorrectly mapped and abuts the application site.

Llanelli Ramblers – Initially objected on basis that application impacts on Footpath 34/43 and no regard has been given to use of the Public Right of Way. Further to the correction to the alignment of the public right of way advised by the PRow team, the initial objection submitted on behalf of Llanelli Ramblers has now been withdrawn. The withdrawal is subject to the conditions requested by the PRow team (in their comments 11/02/19) being fulfilled.

Neighbours/Public - The application has been publicised by the posting of two Site Notices. Please note that 2 no. responses have been received from 2 no. properties raising material planning considerations as follows:-

- privacy/amenity/overbearing;
- proposal does not take account of public footpath;
- query regarding land ownership; and
- increased traffic causing safety issues.

RELEVANT PLANNING HISTORY

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

S/37293	Construction of new house with integral garage. Full Planning refused	12 July 2018
D5/16775	Residential development Full planning permission	16 March 1995
D5/15196	Residential development 37 detached dwellings Reserved Matters granted	18 March 1993
D5/11875	Residential development Outline planning permission	23 October 1989
D5/11616	Construct 8 semi-detached and 4 detached houses Approved	26 June 1989
D5/5740	Construction of detached houses Refused	25 June 1981
D5/5237	Residential Outline planning refused	11 September 1980
D5/949	Residential development Outline planning permission	31 July 1975

APPRAISAL

THE SITE

The application site consists of a rectangular parcel of land fronting the western side of Bronallt Road within the village of Hendy. The site is bordered by Public Right of Way

footpath no. 34/43 and then no. 53 Bronallt Road to the south, existing property Y Winllan is to the north west and a vacant parcel of land, part of which has recently been granted outline planning permission at Planning Committee subject to completion of a Section 106 agreement for 2 dwellings (reference. S/36098). The Coed y Bronallt estate is situated to the north west of the site and is characterised by large detached houses and Bronallt Road comprises a mix of large detached houses as well as former local authority semi-detached properties.

The site consists of a grassed overgrown area which has an unkempt appearance and has previously been subject of two enforcement notices served regarding untidy land. The levels of the site fall towards its western boundary. The Y Winllan property within the Coed y Bronallt estate to the rear is set at a lower level than the site.

THE PROPOSAL

The application seeks full planning permission for a detached dwelling with integral garage, alongside new access, driveway and parking spaces to the front and private garden space to the rear. This application follows a previous application (reference. S/37923) at the site which was refused under officer delegated powers due to concerns regarding its harmful impact on the residential amenity of the occupiers of the neighbouring dwelling of 'Y Winllan' by way of loss of privacy and overbearance.

The present application has not altered from the previously submitted scheme and comprises a three storey property built into the land which appears two storey when viewed from Bronallt Road.

At ground floor level, the property comprises an integral garage, study, bathroom, snug, dining/living room and large open plan kitchen which runs along the rear elevation of the property. A semi-circular stairwell is proposed beyond the main wall of the rear elevation in the north western corner of the property. The stairwell has no fenestration and provides access to the lower floor. There is also an internal staircase within the centre of dwelling which provides access to the first floor. At first floor, four bedrooms are proposed, each of which has its own en-suite. Bedrooms 1 and 2 overlook the rear garden (three windows) whilst bedroom nos. 3 and 4 face Bronallt Road. The lower ground floor includes a lounge, lobby, shower room, utility room and bin store with access to the rear garden from the living room via bi-folding doors or the bin store on the south elevation.

The application has been accompanied by cross sectional drawings taken through the site which show the proposed finished levels of the development in relation to existing properties to the east and west. Whilst the proposed dwelling has been built into the land, the topography and elevated position results in the dwelling having a direct elevated outlook towards the rear elevation and private garden area of the existing property, Y Winllan to the rear. The positioning of the stairwell to the north west of the property seeks to reduce views from the kitchen and lounge yet this does not overcome the concerns regarding overlooking.

A 1.8m high close boarded timber fence is also shown on the plans along the north and western boundary.

The application is accompanied by a draft Unilateral Undertaking and completed Certificate of Title indicating the applicant intends to comply with the requirements for a contribution towards affordable housing in line with Policy AH1.

PLANNING POLICY

In the context of the Authority's current Development Plan the site is within the defined development limits of Hendy as contained in the adopted Local Development Plan (LDP). It is not the subject of any designation or allocation in the Plan and therefore appears as white land. Reference is drawn to the following policies of the Plan:-

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

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

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

Policy GP3 Planning Obligations states that the Council will, where necessary seek developers to enter into planning obligations to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments. Allied to this, Policy AH1 states that a contribution towards affordable housing will be required on all housing allocations and windfall sites.

Policy H2 Housing within Development Limits permits proposals for smaller housing developments on unallocated sites within the development limits of a defined settlement provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy AH1 Affordable Housing states a contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub-market areas.

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

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

Policy EP2 Pollution 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 Sustainable Drainage requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated.

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

THIRD PARTY REPRESENTATIONS

Two letters of objection have been received from neighbouring residents who raise concerns regarding the impact of the proposal on their residential amenity. Concerns are raised by a neighbour located to the west regarding loss of privacy and overbearance as a result of the proposed development and notes that only a property which sits at similar height to their property would address this concern. The objection also refers to the existing footpath being well used and inaccuracies regarding the red line plan. It is noteworthy that previously the neighbour commented on the earlier application at the site, yet did not raise such strong concerns or objections regarding the proposal.

The second objection refers to loss of views as a result of the development and concerns over increase in traffic resulting in highway safety issues.

Highway/pedestrian safety has been carefully considered. There was initial concern from Highways regarding visibility and parking for the proposed development. One of the proposed car parking spaces was situated within 2.4m of the nearside edge of the carriageway. The comments also highlighted that the size of the parking spaces fall below the 2.6m x 4.8m standards.

Revised plans have since been submitted with one of the spaces relocated and the parking spaces increased in size to the above standards. Highways have responded stating that should the application be approved, a condition will be imposed requiring 2.4m x 4.3m visibility splays to be implemented and retained thereafter. On this basis, the Head of Transport has no objection.

Turning to the objection regarding loss of privacy and overbearance on adjacent dwelling 'Y Winllan', it is pertinent to note that the previous application (reference. S/37293) for the same scale development at the site was refused on this basis. As before, it is considered that the new dwelling would have a direct elevated outlook towards the rear elevation and private garden area of this existing property at close quarters to the detriment of the privacy and enjoyment of its occupiers. Moreover, the scale and massing of the new dwelling combined with its proximity and elevated position above 'Y Winllan' would mean it would appear as an overly dominant and overbearing feature from this existing property. It is considered that the proposed development therefore fails to conform to criteria within Policy GP1 (Sustainability and High Quality Design) and Policy H2 (Housing within Development Limits).

In terms of loss of views as Committee Members will be aware this is not a material planning consideration. As per highways comments, the proposed development is not considered to have an impact on highway safety grounds subject to a condition regarding visibility.

The agent has submitted revised plans amending the red line area of the application site which accords with the Certificate of Title completed by the applicant's solicitor. On this basis, it is considered that the concern regarding land ownership has been addressed.

CONCLUSION

After careful consideration of the site and surrounding environs, the proposal is considered not to be acceptable given its impact on the amenity of adjacent residential dwellings. Whilst the proposal complies with a number of policies within the Local Development Plan (LDP) given the site's location within the Development Limits in Hendy, the proposed dwelling fails to comply with the relevant criteria within LDP Policies GP1 and H2, by reason of its siting, size and scale.

Given the sloping nature of the site, accompanied by the scale and massing of the proposed dwelling, it is considered to result in unacceptable harm to the residential amenity of the occupiers of the neighbouring dwelling 'Y Winllan' due to loss of privacy and overbearance. Despite attempts to reduce overlooking through proposed fencing and positioning of the stairwell on the rear elevation, the new dwelling would have a direct elevated outlook towards the rear elevation and private garden of the existing property at close quarters resulting in a detrimental impact on the privacy and enjoyment of its residents. Given the proximity and site topography, alongside the scale and massing of the proposed dwelling would result in it appearing as an overly dominant and overbearing feature from the existing property. Furthermore, as raised by the Sustainable Drainage Approval Body, there are concerns regarding the proposed use of a soakaway due to the sloping nature of the site and the proximity of the neighbour's house at the lower end. Therefore, it is recommended that on-site infiltration tests are undertaken in accordance with BRE365. In advance of the tests being carried out, it is not possible to ensure no detrimental impact on the neighbouring dwelling 'Y Winllan'. The applicant has verbally advised that soakaways are not proposed for the scheme and therefore the concerns raised by the Sustainable Drainage Approval Body are not relevant. The applicant advised that revised plans are being submitted detailing the drainage measures proposed, these have not been received as yet.

The proposal includes adequate parking facilities so no concerns are raised regarding highway safety, subject to imposition of suitable condition. As previously identified, a draft Unilateral Undertaking has been submitted by the applicant's solicitor regarding a commuted payment to contribute towards the provision of affordable housing in the locality as part of the proposal. As such, the proposal complies with the requirements regarding affordable housing within LDP Policy AH1 (Affordable Housing).

On balance, whilst an infill opportunity within the village, the proposal results in unacceptable harm to the residential amenity of neighbouring occupiers and therefore it is recommended that the application be refused for the following reasons.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy GP1 “Sustainability and High Quality Design” of the Carmarthenshire Local Development Plan:-

Policy GP1 Sustainability and High Quality Design

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

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

- n) **It includes, where applicable, provision for the appropriate management and eradication of invasive species.**

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

In that:-

- it would be unacceptably harmful to the residential amenity of the occupiers of the neighbouring dwelling of 'Y Winllan' by way of loss of privacy and overbearance. The new dwelling would have a direct elevated outlook towards the rear elevation and private garden area of this existing property at close quarters to the detriment of the privacy and enjoyment of its occupiers. Moreover, the scale and massing of the new dwelling combined with its proximity and elevated position above 'Y Winllan' would mean it would appear as an overly dominant and overbearing feature from this existing property.
- Without undertaking on-site infiltration tests it is not possible to ensure that satisfactory disposal of surface water can be achieved and that the proposed soakaway will not result in a detrimental impact on the property 'Y Winllan' to the lower end.

- 2 The proposal is contrary to Policy H2 "Housing within Development Limits" of the Carmarthenshire Local Development Plan (December 2014):-

Policy H2 Housing within Development Limits

- a. **Proposals for housing developments on unallocated sites within the development limits of a defined settlement (Policy SP3) will, where they are not subject to the provisions of Part B below, be permitted, provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.**
- b. **Housing developments of five or more dwellings in a Tier 4 settlement listed as not containing any key facilities or services (see paragraph 6.2.56 below) will not be permitted, except where they contribute to the provision of affordable housing to meet identified local need (as defined within the Glossary of Terms), and provided that:**
 - i. **They are of a scale in keeping with the character of the settlement;**
 - ii. **The benefits of initial affordability are retained in perpetuity for all subsequent occupants;**
 - iii. **They are of a size, scale, and design compatible with affordable dwellings and available to low or moderate income groups.**

In that it would be unacceptably harmful to the residential amenity of the occupiers of the neighbouring dwelling of 'Y Winllan' by way of loss of privacy and overbearance. The new dwelling would have a direct elevated outlook towards the rear elevation and private garden area of this existing property at close quarters to the detriment of

the privacy and enjoyment of its occupiers. Moreover, the scale and massing of the new dwelling combined with its proximity and elevated position above 'Y Winllan' would mean it would appear as an overly dominant and overbearing feature from this existing property.

- 3 The proposal is contrary to Policy EP3 "Sustainable Drainage" of the Carmarthenshire Local Development Plan (December 2014):-

Policy EP3 Sustainable Drainage

Proposals for development will be required to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Drainage Systems (SUDS), has been fully investigated.

The details and options resulting from the investigation must show that there are justifiable reasons for not incorporating SUDS into the scheme in accordance with section 8 of TAN 15.

In that it is not possible to ensure that satisfactory disposal of surface water can be achieved and that the proposed soakaway will not result in a detrimental impact on the property 'Y Winllan' to the lower end without undertaking on-site infiltration tests.

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 19 MAWRTH 2019
ON 19 MARCH 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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	19 MARCH 2019
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

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S/37852	Resurfacing of patio, removal of metal steps and replace with additional patio space. Erection of perimeter balustrading around patio. Extend drive paviors and remove current surface of loose slate off-cuts (retrospective) at 19 Elgin Road, Pwll, Llanelli, SA15 4AD	58-63
S/38175	Detached dwelling house at land part of 11 Penygaer Road, Llanelli, SA14 8RU	64- 73

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/37358
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Application Type	Reserved Matters
Proposal & Location	UP TO 27 RESIDENTIAL DWELLINGS - RESERVED MATTERS TO OUTLINE APPROVAL S/29469 AT LAND TO THE NORTH OF TYCROES RUGBY CLUB, PENYGARN ROAD, TYCROES, AMMANFORD, SA18 3NY

Applicant(s)	CHRIS JENKINS, C/O AGENT
Agent	JCR PLANNING LTD - JASON EVANS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Paul Roberts
Ward	Tycroes
Date of validation	08/06/2018

CONSULTATIONS

Head of Transport – Has raised no objection to the application subject to the imposition of suitable conditions relating to improvements to the junction of the Ffordd y Deri estate with Tycroes Road.

Head of Public Protection – No objection, recommendation to grant conditional consent.

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

Llanedi Community Council – No observations received.

Local Member – County Councillor C Higgins raises the following concerns regarding the application:-

- Change from a mix of 3/4bed houses at the outline stage to a mix of 2/3 bed semi and detached bungalows;
- Has the matter of access through Ffordd y Deri been resolved with the landowner?
- Application states that outline was granted on 21/6/2015 and that the land is in the LDP. Planning Committee resolved to approve outline planning on the 18/11/2014,

when the site was within development limits under the UDP, but not LDP which had not been adopted and now excludes the site.

- Ecological reports stated that the nearest badger set is 3kms away and there were no badgers in the vicinity. Happy to send video footage of the badgers that visit our house most evenings, as recently as last night!
- As this proposal significantly affects all residents of Ffordd y Deri, it is astonishing that they are not considered consultees;
- Siting of the construction compound and operating hours are of concern to local residents.

Dwr Cymru Welsh Water – No objection, subject to the imposition of recommended conditions.

Natural Resources Wales - No objection

Neighbours/Public - The application has been publicised by the posting of site notices within the vicinity of the site and the publication of a notice in the local press. Subsequent amendments to the development as part of the application process, and the submission of additional supporting information by the applicant, also required a further re-consultation exercises whereby further site notices were posted in the area and notices published in the local newspaper.

As a result of these publicity exercises, some 10 no. representation have been received from neighbouring residents and interested parties, all of whom object to the application for the following reasons:-

- Significant change in the character of the development from detached dwellings stated in the outline application to the current semi- and detached bungalows;
- Adverse impact on the amenity of adjacent properties through overlooking, loss of privacy and visually overbearing impact;
- Construction compound is unacceptably sited too close to existing properties, and is likely to result in noise disturbance, nuisance to the detriment of residential amenity;
- Proposed elevation treatment with a predominance of render is inappropriate and unsympathetic to the character of the adjacent estate;
- Critical of the environmental and ecological report submitted at the outline application stage, as well as NRW's response;
- Access through the existing Ffordd y Deri estate is considered inappropriate and inadequate in terms of width and pedestrian provision to the detriment of pedestrians and road users, as well as residential amenity;
- Noise and air pollution from increased traffic using Ffordd y Deri, compounded by on street parking;

- The width of Ffordd y Deri will not accommodate construction traffic, given visitors parking on the road;
- Double yellow line markings at the junction of Ffordd y Deri and Tycroes Road have proven to be ineffective and the access remains extremely hazardous;
- Concern that unlicensed and uncontrolled waste will be imported onto the site to raise ground levels;
- Mature trees and hedgerows will be damaged and lost as part of the development;
- The application site is claimed to be prone to flash flooding, particularly to its Eastern boundary with Ffordd y Deri. The proposed development will only exacerbate the situation;
- Loss of a view and devaluation of property.

RELEVANT PLANNING HISTORY

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

S/37402	Provision of surface water drainage storage crates in connection with scheme submitted as part of a Reserved Matters application with respect to Outline Planning Permission S/29469	Pending
S/29469	Up to 27 residential dwellings Outline planning permission	12 June 2015
AM/04948	Proposed 13 no detached houses with integral garages Full planning permission	09 October 2003
S/02974	Residential development Outline planning permission	26 April 2001
D5/16248	Residential development Outline planning permission	15 December 1994
D5/14860	Proposed new entrance to existing agricultural land Full planning permission	31 March 1994
D5/14859	Parking & turning area in conjunction with existing bus depot Full planning permission	31 March 1994

APPRAISAL

This is an application in which Carmarthenshire County Council has an interest in terms of land ownership of the highway upon which improvement works and traffic management measures are proposed.

THE SITE

The application site consists of an irregular shaped parcel of land located off the southern periphery of the Ffordd y Deri housing estate and to the east of Penygarn Road in the village of Tycroes. It extends to an area of some 1.4 hectares of improved grazing pasture that forms part of two field enclosures that border the existing built form of the village with the main body of the site consisting of a southerly elongated enclosure that slopes gently in an easterly direction and is bounded on its eastern, southern and northern boundaries by mature hedgerows and trees. The site's northern boundary, shared with the existing Ffordd y Deri estate, is also defined by trees and hedgerows. The western periphery of the southern enclosure, which extends up to the boundaries of nearby residential properties and the grounds of Moriah Chapel, is excluded from the site and separated from the same by a post of wire stock fence.

The Ffordd y Deri estate road has been included within the site for access purposes as has its junction with Tycroes Road. The estate is characterised by two frontages of detached houses that flank the roadway and are fronted by parking and landscaped areas. The two southernmost dwellings which adjoin the field enclosures are served by private drives that have a shared access arrangement onto the estate road.

The site is located in a primarily residential area being close to the centre of the village and the various services and facilities therein. Tycroes Rugby Club and its associated playing fields are located a short distance to the south of the site with areas of countryside located to the east.

The planning history to the site shows that outline planning permission reference S/29469 – with all matters reserved – was granted on the 12 June 2015, subject to a legal agreement securing various community benefits. That application was submitted and considered under the then Carmarthenshire Unitary Development Plan (UDP) and remain extant by the fact that the 5 year lifetime remains unexpired, and the present reserved matters application was submitted within the specified first 3 years. Despite the fact that the former UDP has subsequently been superseded by the current Carmarthenshire Local Development Plan (LDP), the planning permission remains extant.

THE PROPOSAL

The current application seeks approval in respect of all the reserved matters to outline planning permission S/29469, namely scale; layout appearance; landscaping; and means of access for the proposed construction of 27 bungalows. The proposed mix of dwelling types would comprise of 4 no. 2 bed semi-detached bungalows, and 23 no. 3 bed detached bungalows the majority of which would include a detached side garage. In all respects, each propose dwelling would have the requisite number of car parking spaces, together with the necessary visitor spaces. The bungalow designs would be of a front gable featured design, comprising of two variants, mirrored, with a mix of predominantly rendered walls and others wholly facing brick finished. Houses on the adjacent Ffordd y Deri estate are entirely facing brick finished. In compliance with the provisions of the outline planning permission, six of the proposed dwellings are to be affordable, which is slightly greater than the 20% stipulated for the site.

Access to the proposed residential development would be gained off Tycroes Road and through the adjacent Ffordd y Deri estate, in accordance with the red line application site

approved under outline planning permission S/29649. At the outline planning application stage poor visibility at the Ffordd y Deri/Tycroes Road was acknowledged as being poor, compounded by the prevalence of on street parking. In the interim parking restrictions have been introduced in the form of double yellow line markings either side of the access along the near side of Tycroes Road. The proposed improvements would see both flanks of the Ffordd y Deri access increased to a radii of 10 metres, resulting in an amended kerb build-out into Tycroes Road with an advanced "Give-Way" line. Coupled with the re-designation of the double yellow lines this will serve to secure enhanced visibility of 2.4 x 37m to the left and 2.4 x 39m to the right for emerging traffic. The existing Ffordd y Deri estate road is to the requisite 5.5m carriageway width with flanking footways which will be adequate for the access to serve the current proposed further 27 dwellings, while the proposed estate road would be to the same dimensions to allow for adoption by the local authority.

Although a suite of supporting documents were submitted and considered at the outline planning stage, the following further documents have also now been received in support of this reserved matters application, as well as for the discharge of specific outline planning conditions:-

- 1 Revised Design and Access Statement
- 2 Planning Statement
- 3 Ecological Management Plan
- 4 Construction Management Plan

In view of the heavily grazed species poor improved grassland nature of the site, with species poor hedgerows, marginal marshy grassland and small areas of boundary scrub the site is of low ecological value. Subsequent to the original ecological assessment of the site in 2008, this has been updated with further re-surveys in December 2013, and latterly February 2017 and January 2019 which served to inform the latest submitted Ecological Management Plan (EMP)(February 2019). This EMP covers the full range of ecological interests and has itself been scrutinised by the Council's own Planning Ecologist. Likewise, the submitted landscaping scheme has also been commented on by the Planning Landscape Officer, while neither have objected to the current application.

In terms of drainage, both surface water and foul, a combined sewer traverses the eastern end of the site close to the boundary with the Ffordd y Deri estate. This infrastructure apparatus is plotted as a constrained on the submitted drawings, together with the associated safeguarded zone which is respected in the layout of the development as an easement. The presence of such services within the site also provides the opportunity for the proposed development to conveniently connect and drain all foul flows to the public sewer without having to cross any third part land. Dwr Cymru/Welsh Water have raised no objection to such arrangements.

As to the surface water drainage arrangements, a dedicated surface water sewer is proposed to take all hard surfaced rainwater run-off, incorporating a below ground crate storage facility with the required 1 in 100 year rainfall return capacity + climate change. The design and calculated capacity for the system has been scrutinised and verified by the Council's own Drainage Engineers, inclusive of the prescribed greenfield run-off rate to the adjacent watercourse. The intention being, that the same will be adopted in association with the estate road. As this storage tank will straddle the application site boundary with further land in the same ownership, a separate full planning application reference S/37402 has been submitted for this below ground structure.

In terms of flood risk, although the site is well divorced from any major watercourse, and consequently any recognised flood risk area, the site characteristics and surrounding topography hold the potential for flooding from surface water run-off. Consequently, the Council's Drainage Engineers have requested details as to what measures are to be deployed to manage the surface water run-off from the site. The applicant's consultant engineers have already met with the Council's engineers and an acceptable management solution has been agreed. At the time of writing this report amended plans illustrating such a management solution is awaited.

The tree and hedge felling plan which accompanied the outline planning application has also now been submitted in support of this reserved matters application, albeit now supplemented by a landscaping and tree planting scheme for the site. The aforementioned plans shows the majority of the trees and hedgerows bordering the site being retained as part of the development, with the exception of short sections located at the end of the existing estate road and crossing the northern part of the site which will require removal to enable access to the site, along with a small number of trees along the far western boundary of the site. These include a number of oak trees that are shown to be of moderate or high amenity value in the accompanying tree survey report. The trees to be removed were shown to have limited potential for bats in the Ecological Appraisal, however, notwithstanding this it suggests a precautionary approach to their removal as part of the development as outlined in the EMP. A similar approach is recommended for reptiles and breeding birds with regard to site clearance works.

As a reminder for members' attention the following community benefits have been agreed with the applicant under the Section 106 entered into under the outline planning permission.

- Affordable Housing - 20% of the units proposed are to be 'affordable' and a proportion of these will be expected to consist of two and three bedroom houses. The precise type, mix and tenure of the units are to be agreed with officers of the Authority's Housing Service as part of the formulation of the Section 106 agreement.
- Open Space - A contribution of £1,363 per residential unit in addition to a £10,000 management and administration fee which, based on a development of 27 units, would equate to a contribution of £46,801 towards the improvement and enhancement of open space and play facilities in the local area.
- Education Facilities – A commuted sum towards the provision/improvement of educational facilities within the local area which will be calculated using the Authority's standard formula for such contributions and be based on the number of units proposed and the current capacity of the relevant catchment schools. Based on a development of 27 units and the capacities of the relevant catchment schools, this would equate to a financial contribution of £17,000.

PLANNING POLICY

In the context of the application site's development control policy context, the extant outline planning permission granted for the site pre-dates the present Carmarthenshire Local Development Plan (LDP), and was considered under the then adopted Unitary Development Plan (UDP) when the site was allocated for residential development within the development limits for Tycroes as part of a larger allocation that included the present Ffordd y Deri estate. As such, the principle of residential development on the site was accepted and presently prevails, regardless of the fact that the site has subsequently been omitted under the LDP.

While the principle of residential development is not therefore now under consideration, present LDP policies would however apply in the consideration of the reserved matters detail to the proposal and the following policies would be applicable.

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

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

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

Policy GP1 is a general policy which, amongst others, promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to have regard to the generation, treatment and disposal of waste.

Policy GP3 states that the Council will, where necessary seek developers to enter into planning obligations or to contribute via the Community Infrastructure Levy to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments. Allied to this, Policy AH1 states that a contribution towards affordable housing will be required on all housing allocations and windfall sites. It goes on to state that the Council will seek a level of affordable housing of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub market areas.

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

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

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

required access and parking standards as well as promoting the interests of pedestrians, cyclists and public transport as part of proposals.

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

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

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

Policy REC2 requires that all new development of five or more units will be required to provide on-site open space in accordance with the Council's adopted standards, or otherwise make a financial contribution towards enhanced off-site provision within proximity of the site.

NATIONAL PLANNING POLICY

Planning Policy Wales (PPW) (Edition 10, December 2018) provides a national overview of planning policy on a wide range of issues relevant to the proposed development. The Welsh Government supports the vision for good quality, mixed housing accessible to all which conforms to sustainability principles which underpin all planning policy guidance.

It highlights the need to provide a range and choice of housing to respond to changes in household need and that the provision of quality housing with access to services, green spaces and community facilities helps to create the right conditions for better health and well-being. Furthermore, it advocates locating new housing within existing settlements to allow people to travel to places of employment, retailing and other community services by walking, cycling or public transport.

The document refers to the need for new housing in both urban and rural areas to include a mix of market and affordable house types, tenures and sizes to cater for a range of identified housing needs and contribute to the development of sustainable and cohesive communities. It highlights that a community's need for affordable housing must be taken into consideration in determining planning applications.

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

TAN 2 - Planning and Affordable Housing provides guidance on the role of the planning system in delivering affordable housing.

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

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

TAN 15 (Development and Flood Risk) aims to direct new development away from those areas that are at high risk of flooding.

TAN 18 (Transport) endeavours to ensure Wales develops an efficient and sustainable transport system to meet the needs of a modern, prosperous and inclusive society.

TAN 20 - The Welsh Language – provides guidance on how the planning system considers the implications of the Welsh language when development plans are prepared. Further advice is provided in terms of determining planning applications where the needs and interests of the Welsh language may be a material consideration. In essence, the TAN advises that planning applications should not be subject to Welsh language impact assessment as this would duplicate development plan site selection processes where LDP objectives indicated the need for such an assessment.

THIRD PARTY REPRESENTATIONS

The application has attracted some 10 letters of objection from neighbouring residents, as well as from the local ward member. The concerns raised are wide ranging, a number of which were previously raised at the outline planning application stage. The majority of the respondents live in the neighbouring Ffordd y Deri estate through which access to the development is to be achieved, while the County Councillor for Tycroes echoes most of the same concerns. The issues raised are addressed as follows

A common ground of concern amongst respondents is that the existing Ffordd y Deri estate road and its junction with Tycroes Road is considered inadequate in its present form, let alone the expectation to cater for the traffic likely to be generated by the proposed development. The same highway safety concerns also extend to vehicular traffic and pedestrian safety within the Ffordd y Deri estate, where it is opined that the estate road is of insufficient width to accommodate further traffic to any development beyond the estate be it for the construction phase, or on completion and occupation. Many were of the pre-conception that Ffordd y Deri was built as a small cul de sac and not designed for through traffic, while others maintain that despite previous measures to prohibit parking to either side of estate junction visibility levels are inadequate to serve further development, compounded by unauthorised parking within those areas. In the same vein, many query how could such an application could even be considered given that the site is no longer allocated or shown to be within the settlement limits of Tycroes.

In response, it was acknowledged at the outline planning application stage that the existing Ffordd y Deri junction has inadequate visibility along Tycroes Road to accommodate the likely intensification of use resulting from the development. Not only is visibility currently obstructed by boundary features to the front of neighbouring properties, but illegal parking is compounding the problem. However, as was established previously and conditioned on the outline planning permission, Tycroes Road has a carriageway width of approximately 8.1 metres at the Ffordd y Deri junction. As such, visibility at the existing junction could be significantly improved to the required levels of 2.4 x 37 metres and 2.4 x 39 metres to the

east and west respectively by extending the junction into Tycroes Road by means of a 'kerbed build-out', while double yellow lines have also been placed to either side in the interim. The present proposal includes a scale plan showing the conditioned improvements, as per the Head of Transport's previous requirements, which would continue to retain a 6.5 metre wide carriageway along Tycroes Road. The previously introduced parking restrictions would be transferred with the junction improvements, as a variation of the previously introduced Traffic Regulation Order.

The Head of Transport has likewise confirmed that the Fford y Deri estate road is to the required width to accommodate the likely traffic generated, while the specification of the proposed estate road at 5.5 metre carriageway width, flanking 1.8 metre footways, while incorporating a turning-head to its Southern end is likewise to an adoptable standard. Parking provision as shown for the proposed development meets the Council's expected standards.

Given the extant permission for residential development on the land, namely the subsisting outline planning permission S/29469 and submission of the current reserved matters application within time, the principle of residential development continues to endure until such time as either the permission expires, or the development is commenced whichever comes first.

Objections raised around possible increased noise and air pollution are not shared by colleagues in the Public Protection Service, given the relatively modest scale of the development, absence of any pre-existing environmental problems, and the application of appropriate safeguarding conditions. For the construction phase of the development a Construction Management Plan (CMP) has been submitted which stipulates the various best practice measures to be employed, including those pertaining to possible environmental effects. Notwithstanding which, there are other legislative controls covering construction sites which can be enforced should the amenity of neighbours be adversely affected. The provisions of the CMP are further reinforced by recommended conditions specifying working hours, and possible unknown ground contamination.

A further common ground of objection is belief that the development will exacerbate existing surface water flooding problems within the area. Further to the Drainage Report that accompanied the outline planning application and outlined the surface water drainage strategy for the site, a detailed drainage scheme with SW sewers, attenuation tank, and discharge details have been submitted. Colleagues in the Council's Drainage Section have confirmed acceptance of the same, while further details to address the management of over-land surface water flows and the propensity for surface water to pool to the North-west of the site is awaited. DCWW have not raised any capacity constraints in the local network and are not objecting to the application.

A number of the respondents have expressed concern at the proposed loss of a number of trees within the site which are suggested to be of ecological and high amenity value. The suite of submitted plans now submitted includes the same Tree Felling Plan that was considered at the outline planning application stage, whereby no greater number of trees, or lengths of hedges are to be removed than were previously considered, mainly to the Northern end of the site next to the Ffordd y Deri estate. This is where access from the aforementioned estate will be formed and to facilitate the construction of the new access road. Whilst those removed will include 3 mature oak trees that are deemed to be of moderate to high amenity value, they are not protected by a Tree Preservation Order. Furthermore, the sections to be removed represent only a small proportion of the hedgerow

habitat bordering the site and, on balance, it is considered that the benefits of the development, which will provide a range and choice of new housing, will outweigh any visual harm resulting from the removal of the trees. Notwithstanding this, any visual impact would be mitigated through the implementation of the submitted planting scheme, included in the "Landscaping" reserved matters element of this application.

Challenges around the ecological and wildlife value of the site have again been raised at the reserved matters stage, having previously been examined and considered at the outline planning application. Subsequent to the original ecological survey and appraisal of the site in 2014, the current application is accompanied by an Ecological Management Plan (EMP) informed by two subsequent updated surveys of the site in February 2017 and January 2019. The EMP satisfies the requirements of condition no. 11 of the outline planning permission in that it not only sets out a strategy to meet the requirements, but also details the protective and enhancement measures and recommendations set out in the previous Ecological Appraisal Report. The same report established that the site contained a limited range of habitat types which include species poor improved grassland, both species poor and rich hedgerows and trees, and areas of scrub and marshy grassland and the situation has not changed in the interim.

On the specific question of badgers frequenting the residential gardens of several of the properties neighbouring the application site. Neither of the more recent update surveys found evidence of badger setts on or immediately adjacent to the site, while it is common for badgers to travel several kilometres in their nocturnal foraging. The empirical evidence of the consultant ecologist, as verified by the Council's own Planning Ecologist, is therefore conclusive.

On the opined aspect of overlooking, loss of privacy and overbearance, the layout of the proposed development is that of a regular arrangement of bungalows either side of a central spinal estate road, not dissimilar to that of the adjacent Fford y Deri estate. As the proposal is shown as a continuation of that development, with a similar special arrangement, there is no potential for overlooking further mitigated by the fact the proposal is entirely comprised of single storey bungalows, with the Fford y Deri estate exclusively two-storey houses.

As to the proposed siting of the construction compound, opposed by certain neighbouring residents as being too close to their residences and judged to harbour the potential to cause disturbance, nuisance and loss of amenity. The location of the construction compound has been given out of courtesy, while planning permission is not required for the siting of such temporary uses and their associated structures. The further suggestion that such a facility should be sited elsewhere, off-site, would only serve increase the number of traffic movements, let alone the need for further separate planning permission. As previously mentioned, the CMP and further legislative controls governing construction sites exist to safeguard such interests, as would the licensing of any imported material under section 34 of the Environmental Protection Act 1990.

The issues raised by the respondents in respect of the loss of views and depreciation of property value are not material in the consideration of the application.

CONCLUSION

The application seeks reserved matters approval in accordance with the provisions of the outline planning permission granted under application S/29469. It forms part of a multi stage

process in securing detailed planning permission, with the principle of the residential development of the site having already been established.

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

The general scale, design and layout of the scheme will be in keeping with the character and appearance of the surrounding area and the development will provide a range and choice of housing types and sizes that will be well related to the existing services and facilities in the wider Tycroes area. Moreover, they will have access to a range of sustainable modes of transport. The development will also secure a range of community benefits in the local area which will include the provision of a significant number of affordable dwellings, as well as improvements to the existing access off Tycroes Road, education and recreational facilities.

It is therefore considered that there are no sustained highway, amenity, ecological or utility service objections to the development, other than the outstanding receipt of a plan showing the required relief culvert leading underneath the new estate road to cater for any overland surface water flows or surface water pooling to the North-west of the application site.

Accordingly, the application is put forward with a favourable recommendation, subject to the aforementioned provision(s).

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development shall begin either before the expiration of five years from the date of the outline permission to which this development relates or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
 - Site location plan 1:1250 scale (Drawing No. CW326/01 Rev. A) received 11 February 2019;
 - Site layout plan 1:500 scale (Drawing No. CW326/02 Rev. N) received 11 February 2019;
 - Topographical survey 1:500 scale (Drawing No. CW326/03 Rev. B) received 11 February 2019;
 - Site plan 1:500 scale (Drawing No. CW326/04 Rev. B) received 11 February 2019;
 - Tree & Hedge Felling plan 1:500 scale (Drawing No. CW326/05 Rev. B) received 11 February 2019;
 - Phasing plan 1:500 scale (Drawing No. CW326/06 Rev. F) received 11 February 2019;

- Site sections A-A 1:150; 1:500; & 1:750 scale (Drawing No. CW326/07 Rev. F) received 11 February 2019;
- Site sections B-B 1:150; 1:500; & 1:750 scale (Drawing No. CW326/08 Rev. E) received 7 March 2019;
- Site sections C-C / D-D 1:100 & 1:750 scale (Drawing No. CW326/9 Rev. D) received 11 February 2019;
- 2 Bed semi-detached bungalow 1:50 & 1:100 scale (Drawing No. CW326/10 Rev. A) received 11 February 2019;
- 3 Bedroom bungalow 1:100 & 1:50 scale (Drawing No. CW326/11 Rev. D) received 11 February 2019;
- Landscaping plan (North) 1:250 scale (Drawing No. CW326/12 Rev. F) received 11 February 2019;
- Landscaping plan (South) 1:250 scale (Drawing No. CW326/13 Rev. E) received 11 February 2019;
- Site drainage layout plan 1:500 scale (Drawing No. CW326/14 Rev. E) received 11 February 2019;
- Site plan (N) access callout 1:250 scale (Drawing No. CW326/15 Rev. B) received 11 February 2019;
- Road & SW Section plan 1:200 scale (Drawing No. 2232/602) received 11 February 2019;
- Ffordd y Deri/Heol Tycroes Junction Proposed Improvement Plan 1:500 scale (Drawing No. 0751 002 Rev. B) received 11 February 2019;
- Construction Management Plan prepared by Intrado Robbins (February 2019) received 15 February 2019;
- Ecological Management Plan prepared by Soltys Brewster (February 2019) received 15 February 2019.

- 3 A sample/detailed specification of the brick sample to be used in the construction of the development hereby permitted shall be submitted to the local planning authority for approval prior to the commencement of development.
- 4 No works shall commence on the development hereby approved until the highway improvements at the junction of Ffordd y Deri and Tycroes Road, as shown on the Ffordd y Deri/Heol Tycroes Junction Proposed Improvement Plan 1:500 scale (Drawing No. 0751 002 Rev. B) received on 11 February 2019 have been implemented in full.
- 5 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the details shown prior to the beneficial occupation of the dwellings. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.
- 6 No development shall commence until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the local planning authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) *Investigation of Potentially Contaminated Sites Code of Practice* and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) A desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages.
- (ii) An intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study.
- (iii) An assessment of the potential risks to:-
 - human health;
 - groundwater and surface waters;
 - adjoining land;
 - property (existing or proposed) including buildings, crops, livestock, pets;
 - woodland and service lines and pipes;
 - ecological systems;
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i).
- (iv) An appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with Welsh Local Government Association and the Environment Agency Wales' *'Development of Land Affected by Contamination: A guide for Developers'* (2012).

- 7 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted and obtained written approval from the local planning authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
- 8 No building shall be occupied until the drainage system for the site has been completed in accordance with the details as shown on Drawing No CW326/14 Rev E. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
- 9 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.
- 10 During the site clearance and construction phases, no works shall take place other than within the hours of 07:30 – 18:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays. As the proposed developments are situated in a primarily residential area, it is recommended to minimise noise

disturbance that the construction work be undertaken in compliance with BS: 5228 Noise Vibration and Control on Construction and Open Sites.

- 11 The landscaping works shall be carried out in accordance with Landscaping Plans 1:250 scale (Drawing Nos. CW326/12 Rev. F and CW326/13 Rev. E received 11 February 2019) during the first planting season immediately following completion of the development.
- 12 No development shall take place until appropriate and comprehensive Landscape Maintenance and Management (LMM) information has been submitted to and approved in writing by the local planning authority. The information shall include the following:-
 - i) Landscape Maintenance and Management Responsibility Plan which provides clear definition of LMM responsibility for all landscape areas within the application boundary specifically:-
 - Areas subject to transfer to future private residential ownership and management responsibility in terms of private amenity space for the sole benefit of the future owner.
 - Areas of the site proposed for adoption by the local authority.
 - Areas within the site boundary not included in the above.
 - ii) Landscape Maintenance and Management Scheme (LMMS) for all landscape areas within the application boundary which are not subject to private ownership as defined above, or to adoption by the local authority. The LMMS shall include: -
 - Plans, specifications and schedules to cover establishment and long term proposals for landscape maintenance and management.
 - Details of the management agent (body or organisation) responsible for implementation of the LMMS; and the legal and funding mechanism(s) with the identified management agent by which delivery of the LMMS will be secured.

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

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3 In the interests of visual amenity;
- 4+5 In the interests of highway safety.

- 6+7 In order to protect human health and the natural environment.
- 8 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 9 To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 10 In the interests of public protection
- 11 To ensure that adverse impacts to existing trees and landscape elements identified for retention are effectively addressed within proposals for any future development.
- 12 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

DISCHARGE OF CONDITION(S)

The applicant/developers attention is drawn to the conditional requirements of the outline planning permission (S/29469) to which this development relates. The following condition(s) of the outline planning permission are hereby fully/partially discharged:-

Condition no. 4 – Submission of the requisite reserved matters - **FULLY DISCHARGED.**

This discharge of condition relates to the following documentation:-

- Intrinsic in the submission of reserved matters application S/37358.

Condition no. 5 – Junction Improvement of Ffordd y Deri and Tycroes Road - **PARTIALLY DISCHARGED.**

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

- Ffordd y Deri/Heol Tycroes Junction Proposed Improvement Plan 1:500 scale (Drawing No. 0751 002 Rev. B) received 11 February 2019.

Condition no. 7 – Submission of a landscaping scheme - **PARTIALLY DISCHARGED.**

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

- Landscaping plan (North) 1:250 scale (Drawing No. CW326/12 Rev. F) received 11 February 2019;
- Landscaping plan (South) 1:250 scale (Drawing No. CW326/13 Rev. E) received 11 February 2019.

Condition no. 8 – Submission of plans illustrating finished floor levels and cross-sections - **PARTIALLY DISCHARGED.**

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

- Topographical survey 1:500 scale (Drawing No. CW326/03 Rev. B) received 11 February 2019;
- Site sections A-A 1:150; 1:500; & 1:750 scale (Drawing No. CW326/07 Rev. F) received 11 February 2019;
- Site sections B-B 1:150; 1:500; & 1:750 scale (Drawing No. CW326/08 Rev. E) received 7 March 2019;
- Site sections C-C / D-D 1:100 & 1:750 scale (Drawing No. CW326/9 Rev. D) received 11 February 2019.

Condition no. 9 – Submission of a detailed scheme of surface water drainage - **PARTIALLY DISCHARGED**.

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

- Site drainage layout plan 1:500 scale (Drawing No. CW326/14 Rev. E) received 11 February 2019;
- Road & SW Section plan 1:200 scale (Drawing No. 2232/602) received 11 February 2019.

Condition no. 10 – Submission of a Construction Management Plan (CMP) - **PARTIALLY DISCHARGED**.

This discharge of condition relates to the following document:-

- Construction Management Plan prepared by Intrado Robbins (February 2019) received 15 February 2019.

Condition no. 11 – Submission of an Environmental Management Plan (EMP) - **PARTIALLY DISCHARGED**.

This discharge of condition relates to the following document:-

- Ecological Management Plan prepared by Soltys Brewster (February 2019) received 15 February 2019.

Condition no. 12 – Submission of a Foul Drainage Scheme - **PARTIALLY DISCHARGED**.

This discharge of condition relates to the following plans:-

- Site drainage layout plan 1:500 scale (Drawing No. CW326/14 Rev. E) received 11 February 2019.

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 SP2 of the LDP in that the proposed development is resilient to the impact of climate change and accords with the provisions of TAN15.
- 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 SP5 of the LDP in that it involves the development of a housing allocation in an appropriate manner.
- 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 H1 of the LDP in that it involves the development of a housing allocation in an appropriate manner.
- 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 majority of the site is located within the defined settlement limits of the growth area of Llanelli.
- 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 TR1 of the LDP in that the proposal does not restrict traffic movement or compromise safety of the primary road network.
- 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 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 EQ5 of the LDP in that the proposal does not adversely affect ecological corridors, networks and features of distinctiveness.

- 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.
- It is considered that the proposal complies with Policy EP6 of the LDP in that there are no land instability issues.

NOTES

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

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

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

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

- 2 The applicant/developer is advised that the outline application relating to this development is the subject of a Section 106 Agreement requiring an element of affordable housing within the development and the payment of commuted sums to the Council in respect of improvements to educational and recreational facilities in the locality and improvements to the local highway network.
- 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).

Application No	S/37852
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Application Type	Full Planning
Proposal & Location	RESURFACING OF PATIO, REMOVAL OF METAL STEPS AND REPLACE WITH ADDITIONAL PATIO SPACE. ERECTION OF PERIMETER BALUSTRADING AROUND PATIO. EXTEND DRIVE PAVIORS AND REMOVE CURRENT SURFACE OF LOOSE SLATE OFF-CUTS (RETROSPECTIVE) AT 19 ELGIN ROAD, PWLL, LLANELLI, SA15 4AD

Applicant(s)	MR THOMAS PETER WILLIAMS, 19 ELGIN ROAD, PWLL, LLANELLI, SA15 4AD
Case Officer	Zoe James
Ward	Hengoed
Date of validation	26/09/2018

CONSULTATIONS

Llanelli Rural Council - No objection providing the patio has no detrimental impact on the amenity and privacy of neighbouring dwellings. However, Community Councillor Sian Caiach has objected to the application on the grounds that the storage area could be converted to a room and resultant lack of privacy arising from the patio extension for neighbouring residents, in particular in relation to no. 17A. In addition, concerns are raised regarding drainage.

Local Members – Councillor Penny Edwards as a member of the Planning Committee has made no prior comment on this application. Councillor Sue Phillips has objected to this application on the basis that the storage area could be converted to a room and resultant lack of privacy arising from the patio extension for neighbouring residents, in particular in relation to no. 17A. In addition, concerns are raised regarding drainage. Councillor Sue Phillips has requested that a site visit is undertaken by the Planning Committee.

Neighbours/Public - The application has been publicised through neighbour letters sent to adjacent properties. Please note that 7 no. responses have been received objecting to the application, one of which is from neighbouring property, raising material planning considerations as follows:-

- Loss of privacy/amenity;
- Ground levels have been raised further than specified without permission;
- Surface water drainage implications;
- Construction of two rooms.

In addition, one response has been received stating they have no objection to the patio extension from the neighbour to the west.

RELEVANT PLANNING HISTORY

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

D5/7546	Single storey extension Full planning permission	19 January 1984
D5/5034	Building plot Outline planning permission	26 June 1980
D5/349	Building plot Outline planning permission	02 December 1974

APPRAISAL

THE SITE

The application site consists of the existing dwellinghouse and garden area at no. 19 Elgin Road, Pwll. The site is rectangular in shape, with the existing dwelling sitting to the north of the site fronting Elgin Road and a long garden sloping in a southerly direction to the rear. The site is bordered by existing residential properties to the east and west and gardens of residential dwellings fronting Pwll Road to the south. The surrounding area is primarily residential with a mix of detached and semi-detached properties. The subject site alongside neighbouring properties of Elgin Road and Pwll Road have long rear gardens.

The site consists of an existing two storey dwellinghouse, driveway to the east and a raised patio, car parking area and garden to the rear. The levels of the site fall significantly towards its southern boundary as per existing neighbouring properties along Elgin Road, many of which have patios and balconies to the rear of the properties to maximise views to the coast, which also results in mutual overlooking within the surrounding area.

THE PROPOSAL

The application seeks full planning permission retrospectively for the resurfacing of the existing patio, creation of additional patio space with perimeter balustrading and removal of the central existing metal steps and rebuilding of the existing stone steps to west. It also seeks to extend the existing drive pavements towards the south of the site and remove the existing surface comprising loose slate off-cuts. The application is retrospective given the majority of the works have taken place. This application follows a previous enforcement case (reference. S/ENF/08760) at the site in connection with the subject works. Following the investigation by an enforcement officer advising the applicant that the works require planning permission the current application was submitted retrospectively.

The existing patio ran along the rear elevation of the property and extended from the rear elevation around 1.9m at its widest point to the east and 0.75m to the west. To the east of the patio is an existing hedge screening the patio from overlooking to adjacent property no. 17a Elgin Road. To the west of the patio is an existing low stone wall which provides no screening with adjacent occupiers at no. 21 Elgin Road.

The patio extension is constructed in the area previously occupied by the metal steps. The extension is around 1.4m in depth, taking it out just beyond the position of the existing stone steps, and around 4m wide. As a result of the extension, the patio now extends some 3.3m from the rear elevation. It is worth noting that the existing steel steps were positioned around 2.8m from the rear elevation and were facing east towards no. 17a.

New steel balustrading railings painted black are positioned around the patio extension at around 0.8m in height. The submitted plans indicate that the existing hedge to the east of the patio will be extended to form a screen for privacy. To the west there are no changes proposed to the existing boundary.

Given the topography of the site, the patio extension results in the creation of a covered area beneath the patio. The applicant has advised that this area is very small at around 1.5m in height and 2m deep and will be used as bicycle and implement storage area.

In addition to the patio extension, the existing driveway running to the east of the dwelling from Elgin Road has been extended into the site. The driveway has been extended using brick pavements as per the existing driveway allowing surface water to percolate to the ground beneath. The driveway has been extended just beyond the existing car parking area comprising limestone chippings.

PLANNING POLICY

In the context of the Authority's current Development Plan the site is within the defined development limits of Pwll as contained in the adopted Local Development Plan (LDP). Reference is drawn to the following policies of the Plan:-

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

Policy GP6 Extensions relates specifically to domestic extension proposals and states that extensions for buildings or other structures should be subordinate in scale and external appearance in comparison to the host dwelling; should not adversely affect the amenities of neighbouring properties; and should allow for sufficient garden amenity space to remain.

THIRD PARTY REPRESENTATIONS

Seven letters of objection have been received from residents and one from local Councillors who raise concerns regarding the impact of the proposal on the privacy and residential amenity of adjacent properties, in particular no. 17a. Community Councillor Sian Caiach and County Councillor Sue Phillips object on the basis that the extended patio provides clear views into the living accommodation of no. 17a, the creation of two storage areas which could be converted into rooms and the increased risk of egress water to road and properties in the surrounding area.

Concerns are raised by the neighbour at no. 17a located to the east of the site, regarding loss of privacy and overlooking into her living accommodation as a result of the proposed

development. The objection also refers to the existing driveway and states that this has been raised without planning permission which also adversely affects residential amenity. The comments acknowledge the existing hedge which is proposed to be maintained to provide screening and privacy, yet there are concerns that this is not suitable as it does not provide a permanent screen. A further letter of objection was received from the resident at 17a with concerns regarding the construction of 2 rooms below the extended patio area and reiterating the raised driveway levels.

A further six representations have been received from residents objecting to the application due to loss of privacy and residential amenity on adjacent properties. Concerns are also raised in connection with the surface water drainage as a result of the increased driveway.

An additional letter has been received from the neighbouring resident to the west, no. 21 Elgin Road stating they have no objection to the patio extension or existing boundary treatment.

In connection the concerns regarding loss of privacy, it is firstly noted that numerous properties along Elgin Road have balconies and patios on the rear elevation resulting in mutual overlooking of neighbouring properties.

Detailed discussions have taken place with the applicant and the agent who have advised they have no intention to remove the existing hedgerow along the eastern side of the patio. As a result, a condition has been drafted which requires the existing hedgerow to be retained and for details of a replacement screen to be submitted to and approved by the Local Planning Authority should the hedge ever be removed. It is considered that given the nature of the area and existing mutual overlooking, the requirement to maintain the existing hedge which provides screening at present to the east of the patio, mitigates against any further impact on amenity of neighbouring residential properties. Given confirmation has been received from the adjacent occupier to the west that they have no concerns, no further screening is considered necessary on this boundary.

CONCLUSION

After careful consideration of the site and surrounding environs, the proposal is considered to be acceptable given the existing mutual overlooking in the area as a result of a number of similar rear balconies and patios.

The suggested condition ensures that appropriate screening will be retained at the site through the form of existing hedging. Should this not be maintained to the stated height or length then it shall be replaced with a 1.8m high screen, details of which are required to be submitted to and agreed with the Local Planning Authority. The proposal is therefore considered to comply with policies GP1 and GP6 of the LDP in that it is of an appropriate scale, design and adequate mitigation is secured to address impact on amenity of adjacent residential dwellings.

Based on the foregoing, the application is put forward for a favourable recommendation subject to the following conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 11 September 2018.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans:-
 - Location Plan scale 1:2500 received 13 September 2018;
 - Block Plan scale 1:500 received 25 September 2018;
 - Existing Plan of Rear Patio Area scale 1:50 drawing 01 received 25 September 2018;
 - Existing Rear Elevation scale 1:50 drawing no 02 received on 25 September 2018;
 - Elevation and Cross Section of Extended Patio scale 1:20 received 13 September 2018;
 - Existing Side Elevation/Cross Section drawing no. 03 scale 1:50 received 25 September 2018;
 - Proposed Plan of Rear Patio Area scale 1:50 drawing 04 received on 25 September 2018;
 - Proposed Side Elevation/Cross Section drawing 05 scale 1:50 received 25 September 2018;
 - Elevation and Cross Section of Extended Patio drawing 07 scale 1:20 received 25 September 2018;
 - Elevation and Cross Section of Extended Patio drawing 08 scale 1:20 received 25 September 2018.
- 3 The existing hedge along the eastern boundary of the patio shall be maintained at a minimum height of 1.9m, measured from its base with the patio, and minimum length of 4.5m, measured from the rearmost point of the patio where it abuts the house. Should the existing hedge not be maintained at the stated minimum height or length it shall be replaced with a screen 1.8m in height, measured from the floor of the patio. Details of the screen, to include design, fixing and timescale of its provision, shall be submitted to and approved in writing by the local planning. The provision of the screen 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 interests of visual amenity and to confirm the extent of the permission.
- 3 In the interest of privacy and residential amenity.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposal complies with Policy GP1 of the LDP in that it is appropriate in terms of scale and design, uses appropriate materials, and as a result of appropriate mitigation will not cause unacceptable loss of amenity to neighbouring uses.
- It is considered that the proposed development complies with Policy GP6 of the Carmarthenshire Local Development Plan in that it is appropriate in terms of scale and design, sufficient amenity/garden space remains, and as a result of appropriate mitigation it will not adversely affect the amenities of the occupiers of the neighbouring properties.

NOTES

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

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

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

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

- 2 Comments and responses received from consultees and third parties can be found on the Authority's website (www.carmarthenshire.gov.uk). They may also relate to other permissions or consents required or include further advice and guidance.

Application No	S/38175
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Application Type	Full Planning
Proposal & Location	DETACHED DWELLING HOUSE AT LAND PART OF 11 PENYGAER ROAD, LLANELLI, SA14 8RU

Applicant(s)	MR TONY COLARUSSO, 11 PENYGAER ROAD, LLANELLI, SA14 8RU
Agent	JCR PLANNING LTD - MR RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Robert Davies
Ward	Lliedi
Date of validation	19/12/2018

CONSULTATIONS

Head of Transport – No objection subject to conditions.

Public Protection – No objection.

Head of Education – No response received to date.

Head of Property - No response received to date.

Llanelli Town Council – In light of the objections received and the likely impact of any development on Penygaer School, requests that the application is referred to the Planning Committee for consideration.

Local Members – County Councillor R James has requested that the application be referred to the Planning Committee for consideration. The reasons for this are as follows:-

- Inaccuracies in Planning Documentation - The description of development does not account for the work that has begun on site, i.e. the excavation of the land, whilst Question 11 does not account for part of the plot being on a flood plain.
- Council Policies - No reference to the bat population located in the area and how the applicant will protect the bat population. Consideration should also be given to the Council's Amphibians and Reptiles Policy and whether the development supports the natural migration of the common toad, in particular whether the soak-away is suitable.

- Overlooking of the Local School - Consideration should be given whether the proximity of the development and whether there should be a requirement on the amount and size of trees to provide natural screen.
- Previous Planning Decisions - No reference to the non-compliance with planning requirements on applicant for 11 Penygaer Road and enforcement orders connected to this piece of land.

County Councillor S Najmi has not responded to date.

Land Drainage Officer – No objection. Advises that the surface water management calculations in the Drainage Report are acceptable.

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

The Coal Authority - No objection subject to conditions.

Neighbours/Public – 7no. neighbouring properties notified of the application. No letters of representation received.

RELEVANT PLANNING HISTORY

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

S/23980	Part demolition of existing garage, rebuilding and enlarging garage with a bedroom over and provision of a porch to front entrance of house Full planning refused	21 December 2010
S/21614	Part demolition of existing attached garage. Rebuilding and enlarging garage with bedroom over Full planning permission	22 September 2009
S/15120	Detached dormer dwelling Full planning permission	22 February 2007

APPRAISAL

THE SITE

The application site consists of an irregular shaped parcel of land located immediately adjacent to, and within the ownership of no.11 Penygaer Road, Llanelli.

The site has previously benefitted from having planning permission to construct a detached dormer dwelling granted in 2007 under planning reference number S/15120. This planning permission however has since lapsed.

The application site used to consist of made ground ensuring that it was level with Penygaer Road to the front of the plot and then fall away quite steeply to the rear boundary with Penygaer School. However recent unauthorised engineering works have taken place at the

site with some of the made ground material excavated and taken away and new hardcore material brought into the site. Only a small portion of the front of the plot is now level with Penygaer Road, before the land falls away.

The application site is approximately 19m in width at its road frontage, tapering down to the rear, and is approximately 21.5m in depth at its deepest point.

THE PROPOSAL

The application seeks full planning permission to construct a detached, three bedroom dwelling with integral garage fronting on to Penygaer Road. The proposed dwelling is largely 'L' shaped and is of a split level construction being single storey in appearance when viewed from Penygaer Road and three storey when viewed from the rear.

The proposed dwelling has a low pitched saddle roof finished with grey tiles and front protruding gable which houses the garage. The proposed external finishes to the walls consist of a mixture of smooth render and bradstone. The proposed dwelling is 10m wide at its widest point, 13m deep at deepest point, and is 5m high when viewed from Penygaer Road and 10m high when viewed from the rear.

The proposal incorporates two surfaced off street car parking spaces to the front with one additional space within the proposed garage. The side of the property will be terraced with retaining walls, raised planters and steps leading down to the rear garden area. It is indicated that the school fence is to be retained and climbing plants and trees proposed as a natural screen. The landscape drawing indicates that use will be made of permeable paving and soakaways for surface water disposal.

In addition to the drawing package, the application has been accompanied by the following:-

- Drainage Report;
- Coal Mining Risk Assessment;
- Structural Engineers Report;
- Unilateral Undertaking for a contribution towards affordable housing.

PLANNING POLICY

The area is covered by the Carmarthenshire Local Development Plan (LDP) that was formally adopted in December 2014. The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted 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 LSP's settlement framework. In this respect Llanelli is identified as a Growth Area.

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, one of the local members and the town council have raised concerns and objections. The material reasons for objection raised will be addressed individually as part of this appraisal. The reference made to non-compliance with a previous planning permission granted on the dwelling at no.11 Penygaer Road itself, is not considered material to the consideration of this application.

In terms of the suggested inaccuracies within the supporting documentation, the Local Planning Authority (LPA) acknowledge that some unauthorised engineering works have taken place and that the application is partly retrospective in this respect. The planning enforcement section along with colleagues in highways and building control have been involved to ensure that the site is secure from a safety perspective. The application site is not located on a flood plain as suggested and the Authority's Drainage Engineer has confirmed this.

During the course of the application process the LPA requested a drainage report from a suitably qualified engineer to evidence that soakaways are feasible at the site. This was subsequently received and confirmed this to be the case. This report has been considered by the Authority's Drainage Engineers who do not object to the proposed development.

With regard to the concerns raised over ecology and principally Bats, Amphibians and Reptiles, reference is drawn to the consultation response received from the Authority's Planning Ecologist who has raised no concern in this respect.

Finally in terms of the impact upon Penygaer School, it is worth noting that the school itself has been consulted on the planning application and has not commented. The principle of developing the site for residential purposes has previously been established, whilst as aforementioned the landscape drawing indicates that planting is proposed adjacent to the boundary fence with the school in order to provide some additional screening. In this respect it is recommended that a condition is imposed on any planning permission granted.

CONCLUSION

The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and therefore there is no in-principle objection to developing the site for residential use.

The proposed split level nature of the dwelling proposed is considered to be acceptable considering the nature of the land concerned, whilst the proposed external finishes which primarily consists of render to prominent walls, and grey tiles to the roof are in keeping with the area.

The dwelling will be served by an adequate level of off road parking provision, whilst the Authority's Head of Transport has raised no objection.

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 £8,111.64 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:-
 - Site location plan 1:1250 @ A4 (003 Rev A) received 14th December, 2018;
 - Site block plan 1:500 @ A4 (004 Rev A) received 14th December, 2018;
 - Proposed floor plans 1:100 @ A3 (101 Rev C) received 14th December, 2018;
 - Existing section A-A plan 1:100 @ A3 (401) received 14th December, 2018;
 - Proposed section A-A 1:100 @ A3 (402) received 14th December, 2018;
 - Lower ground floor and retaining wall details plan 1:20; 1:100 @ A3 (182131-01) received 14th December, 2018;
 - Raft foundations detail 1:10 @ A3 (182131-02) received 14th December, 2018;
 - Proposed front and rear elevations 1:100 @ A3 (301 Rev D) received 6th February, 2019;
 - Proposed side elevations 1:100 @ A3 (302 Rev D) received 6th February, 2019;
 - Proposed landscaping plan 1:200 @ A4 (006 A) received 15th February, 2019.

- 3 Prior to the occupation of the dwelling 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.
- 4 Prior to the construction of the dwelling hereby 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.
- 5 The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport Services) Typical Layout No. 2 specification, prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 6 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 7 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 Penygaer Road frontage within 2.0 metres of the near edge of the carriageway (to include land edged in red and blue).
- 8 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.
- 9 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.
- 10 The parking area shall be hard surfaced in a bonded material, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
- 11 The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey for presence of Japanese Knotweed had been undertaken between the periods of May to September by a competent surveyor. If the survey reveals the presence of Japanese Knotweed, a scheme to eradicate Japanese Knotweed must be submitted to and approved in writing by the local planning authority. Furthermore works should be implemented in accordance with any approved scheme.
- 12 Prior to the commencement of development and in accordance with the recommendations made in the Coal Mining Risk Assessment Report undertaken by Blandford Consulting dated 6th December, 2018, and received by the local planning authority on the 14th December, 2018, the following need to be submitted for the written approval of the Local Planning Authority:-

- The submission of a scheme of intrusive site investigations;
 - The undertaking of that scheme of intrusive site investigations;
 - The submission of a report of findings arising from the intrusive site investigations;
 - The submission of a scheme of remedial works for approval; and
 - Subsequent implementation of those remedial works.
- 13 The surface water drainage arrangements for the development hereby approved shall be undertaken in strict accordance with the details outlined in the Drainage Report produced by Francis Sant dated February, 2019, and subsequently received by the local planning authority on the 1st March, 2019.
- 14 No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development along with full details of all planting including proposed perimeter planting as shown on the approved landscaping plan.
- 15 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2+4 In the interest of visual amenity.
- 3 In the interest of visual amenity and to preserve amenity.
- 5-10 In the interest of highway safety.
- 11 To eradicate invasive species
- 12 To prevent land instability.
- 13 To ensure a satisfactory form of surface water drainage.
- 14+15 In the interest of visual amenity and to preserve 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 sum of £8,111.64 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.

Mae'r dudalen hon yn wag yn fwriadol

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

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

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

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

**AR 19 MAWRTH 2019
ON 19 MARCH 2019**

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



COMMITTEE:	PLANNING COMMITTEE
DATE:	19 MARCH 2019
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NO'S
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W/38395	Proposed replacement livestock building with under floor slurry storage at Nantygelli Farm, Cynwyl Elfed, Carmarthen, SA33 6UT	93-97

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/36559
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE OF VACANT LAND FOR THE SITING OF 18 STATIC CARAVANS AS AN EXTENSION TO THE EXISTING ADJACENT ANTS HILL CARAVAN PARK AT ANTS HILL CARAVAN & CAMPING PARK, LAUGHARNE, CARMARTHEN, SA33 4QN

Applicant(s)	MR HUW ROBERTS, ANTS HILL CARAVAN PARK, LAUGHARNE, CARMARTHEN, SA33 4QN
Agent	KEN MORGAN DBM LTD - MR KEN MORGAN, THE STUDIO, LITTLE GREENWAY, CRINOW ROAD, NARBERTH, SA67 8TA
Case Officer	Graham Noakes
Ward	Laugharne Township
Date of validation	13/12/2017

CONSULTATIONS

Head of Transport – offers no objection subject to the imposition of conditions to secure the necessary visibility splays, parking and turning area, and the provision of three passing places along the access road.

Head of Public Protection, Social Care and Housing – offers no objection; suggests the imposition of a condition requiring an acoustic barrier along the outer perimeter of the site

Laugharne Township Community Council – strongly objects to the application on the following grounds:

- Trees that provided a sight and sound barrier along the boundary of the application site were removed prior to the submission of the application.
- The application site is now a visible scar on the landscape.
- The application site is now visible from nearby walks.
- Unacceptable noise levels.
- Traffic implications and vehicle/pedestrian conflict along the access lane.
- The application site is located outside of the development limits.
- The application fails to comply with all four criteria of policy TSM1.
- If permitted there should be a requirement that trees are densely planted along the boundary to again obscure the caravan site.

Following the submission of revised plans that provide for increased landscaping/planting along the boundary of the application site the community council further commented:

- While the new planting scheme is an improvement and may eventually hide the site in what is an environmentally and historically sensitive area, it will take several years to do this.
- The trees are deciduous and when they lose their leaves the site will be fully exposed.
- The economy of Laugharne benefits from large numbers of visitors who wish to enjoy its heritage, landscape setting and variety of walks it offers. This is an insensitive development which threatens our visitor base as well as the wellbeing of the local community who live and walk in the area.
- Concern regarding the treatment works and whether this connected to the main drainage nearby or into soakaways.

Local Member – Cllr. J Tremlett has conveyed local residents' concerns over the potential for light and noise nuisance from any further development commenting that the trees that were removed provided both screening from light from caravans/campers and acted as a sound buffer.

Cllr Tremlett seeks assurance that the planting scheme for both the boundary and along the embankment between the application site and the existing static caravans would be required by condition on any permission which may be granted.

Natural Resources Wales – offers 'significant concerns' with regard to the proposed use of a private sewerage treatment plant in an area served by a main sewer. The applicant has subsequently confirmed that a connection to the main sewer shall be sought.

Dwr Cymru Welsh Water – offers no objection to the application; highlights the presence of a public sewer that crosses the south-western corner of the application site

Neighbours/Public – The application was publicised by way of a site notice with 19 representations of objection received from 17 respondents. The grounds of objection refer to one or more of the following:

- The felling of the trees along the boundary of the application site prior to the submission of the application has resulted in a harmful change to the local landscape and the character of the area.
- The felling has had a harmful effect upon the local wildlife which was dependent upon the trees.
- The felling has resulted in increased noise and light pollution.
- The felling has spoilt the idyllic circular walk from Laugharne foreshore around the castle, boathouse and estuary to the church.
- Whatever the outcome of the application, there should be a requirement that large, mature, native trees are densely planted along the boundary to again obscure the caravan site.
- Noise and disturbance to the occupiers of the neighbouring residential property.
- The proposed development within the Special Landscape Area would be contrary to policies SP14 & EQ6.
- The application site is visible from 'strategic tourist locations' namely Laugharne Castle and St Martin's Church.

- The proposed development shall have a harmful effect upon Laugharne, arguably the jewel in the crown of Carmarthenshire's tourism attractions.
- The effect of the proposed screening trees shown on the plan would be minimal for a long time until they reach a very considerable height because of the topography of the site.
- The proposal does not conform to policy TSM1 or TSM2.
- Concerning policy SP15 "Tourism and the visitor economy", this application does not conform to the criteria set out in SP15 i, ii, and iii nor does it in anyway satisfy the criteria listed in TSM3 or TSM5.
- This proposal does not conform to SP9 (a) "Reducing the need to travel, particularly by private motor car" or SP9 (d) "Re-enforcing the function and role of settlement in accordance with the settlement framework" to name but two of the policies in this section.
- The application site does not conform to policy GP2 as it is not within developmental limits.
- Policy GP4 states "Proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development". The local services roads and junction to the main A4066 are inadequate for existing users and the farming community already has problems with the existing site.
- The access lane is unsuitable for additional traffic.
- Vehicle/pedestrian and vehicle/horse rider conflict along the access lane.
- Lack of visibility at the junction of the access lane with the A4066.
- Parking is a well-documented, major problem within Laugharne.
- The potable water pressure is inadequate during peak summer site use and drops to an unacceptable level on most days.
- Policies EP2 and EP3 do not appear to have been considered by the applicant.
- The proposed development is unnecessary, shall be unsightly and have a harmful impact upon the nearby conservation area.
- The proposed development will harm the local economy as it will support very little employment.
- The application form incorrectly refers to the application site as vacant land when it is agricultural land.
- The township is currently undergoing two separate housing developments which will add more than 70 homes (though affordable homes are much welcomed in the township). However welcome the new homes are, they will be a burden on local traffic congestion and services. The impact of the two new housing developments should be monitored before going ahead with any further.
- Increased pressure on services – sewerage, water, electricity.
- The application should include cross-section drawings to indicate the change in levels between the application site and adjoining land relevant levels.
- The land clearance has had a harmful effect upon biodiversity.
- The application should be supported by a Noise Impact Assessment, Transport Statement and Planning Statement.

Following the submission of revised plans that provide for increased landscaping/planting along the boundary of the application site four of the initial respondents in addition to reiterating their original concerns further commented:

- Landscaping implementation condition only refers to a 5 year period, after which the stipulated landscaping could be removed by the landowner.

- The proposed landscaping shall be ineffective as the most of the local viewpoints look down into the application site.
- The proposed, additional caravans could have been located on the other side of the site, where he has a licence for tourers, and be barely visible.
- What is the mitigation for local residents for inconvenience and hazard from increased traffic along the access lane.
- The size of the static caravans means that they shall stand out in the landscape.
- There is an Article 4 Direction in place for the whole of Laugharne Township, which includes this caravan site.

RELEVANT PLANNING HISTORY

W/34244 - Proposed Extension and Loft Conversion to Provide Managers Living Accommodation and Office Space Full Planning Permission	27 th September 2016
W/11298 - Demolition of Existing Changing Room and Construction of Replacement Building Full Planning Permission	21 st November 2005
D4/23908 - Certificate of Lawful Use for Touring Caravans Granted	15 th October 1993
D4/23907 - Certificate of Lawfulness for Stationing Of Static Caravans - (CLOPUD) Granted	15 th October 1993
D4/23075 - Certificate of Lawfulness for Existing Use for a Residential Flat - CLOPUD Granted	4 th February 1993
D4/14245 - Siting of a Bungalow to Replace Caravan Park Manager's Mobile Home Outline Planning Permission	30 th December 1986
D4/12173 - Extension to Caravan Site Withdrawn	21 st June 1993
D4/12172 - Siting of 10 Holiday Static Caravans Withdrawn	21 st June 1993
D4/11243 - Construction of Swimming Pool Full Granted	9 th February 1984
D4/6486 - Electricity Supply Approved With Conditions	6 th September 1979
D4/3035 - Siting of a Mobile Home Withdrawn	30 th November 1976
9463/7 - Conversion of Store/Games Room into Offices	

	Full Planning Permission	29 th December 1971
7591/7 -	Extension to Existing Caravan Site for Camping and Touring Caravans Caravan Certificate	6 th January 1969
3256/16 -	Caravan Site and Conveniences Full Planning Permission	28 th April 1960
2917/16 -	Caravan Site Full Planning Permission	11 th September 1959

APPRAISAL

THE SITE

The broadly rectangular application site lies at the eastern edge of the established Ants Hill Caravan Park, located to the north and above the town of Laugharne, which presently comprises approximately 65 touring caravans and 59 static caravans. The application site, which is laid to grass, extends to some 110m x 40m and is at a level 4-5m lower than the adjacent static caravan area.

The northern boundary of the application site abuts the existing caravan park and Mapsland, a grade II listed residential property with open agricultural land to the east and south. The removal of a mature, coniferous tree line along the eastern boundary prior to the submission of the application has resulted in the application site and some of the existing static caravans being readily visible from the rear garden of Mapsland and the wider area to the west, towards Hillside.

The application site is located outside of both the development limits for Laugharne and the Laugharne Conservation Area, being some 180m to the north of the nearest point of the conservation area, the residential property 'The Glen' along Glen Road. The site however falls within the Lower Taf Special Landscape Area as defined in the LDP and the area covered by the Laugharne/Taf Estuary Article 4 Direction, issued in July 1986. An Article 4 Direction removes all or some of the permitted development rights on a site or in a particular area in order to protect the quality of the site or area. In this instance the Direction removes only the permitted development provisions for agricultural buildings.

It is noted that the description of the character of the area within the reasoned justification for the Article 4 Direction comments, *"The only intrusive elements in the entire area, comprise a late 1950's council housing estate perched on a hilltop at the south-west corner of Laugharne, and two long established caravan/chalet sites, one at Ants Hill near Mapsland to the north of Laugharne, and the largest at Glanymor immediately to the north-east of the settlement."* The description goes on to say how further caravan/chalet development is strictly controlled by the relevant development plan (Dyfed County Structure Plan) policies of the time. It is also acknowledged that *"Tourism is fast challenging the once dominant role of agriculture in this area however the picturesque and essentially unspoilt landscape which has provided considerable inspiration for artists and writers, most notably Dylan Thomas now provides a highly marketable source resource for the increasing tourist potential of the area."* The report identified the principal threat to the area covered by the Direction as the visual impact of unsympathetic agricultural development both in the form of a possible major poultry development [relevant at the

time] and of a proliferation of smaller agricultural buildings which albeit minor can have a considerable impact upon the landscape.

Vehicular access to the caravan site is achieved along the unclassified U6621, single track road that leads on to the junction with the A4066 St Clears to Laugharne road some 150m to the west. Although the U6621 continues past the entrance to the caravan site in a loop to a second junction with the A4066 some 650m to the south, it is reasonable to consider that all caravan park traffic shall utilise the shorter distance to the northernmost access.

THE PROPOSAL

Full planning permission is sought for the use of the land for the siting of 18 static caravans, arranged in two parallel lines along either side of a new access road off the existing part of the site utilised for static caravans. The proposed caravans shall be sited on individual concrete hardstandings with each pitch having provision for one car parking space.

In terms of infrastructure, in addition to the new access road a new sewerage treatment plant was initially to be at the south-east corner of the site. On receipt of the concerns of the NRW, it is now proposed to discharge foul water to the public sewer.

Landscaping/planting, discussed further in this report, is to be provided along both the 'outside' boundary of the application site to the east and south and also to the embankment between the application site and the existing static caravan area.

PLANNING POLICY

The development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 comprises the Carmarthenshire Local Development (LDP) adopted in December 2014. The following policies are deemed to be of particular relevance in the consideration of the application.

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

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

Policy SP13 Protection and Enhancement of the Built and Historic Environment seeks to ensure that development proposals preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and their setting. This is further supplemented by

Policy EQ1 Protection of buildings, landscapes and features of historic importance which states that developments will only be permitted whether they preserve or enhance the built historic environment.

Policy SP13 Protection and Enhancement of the Natural Environment seeks that development should reflect the need to protect and wherever possible enhance the County's natural environment.

Policy SP15 Tourism and the Visitor Economy supports the provision of new and extensions of existing tourism businesses within the County provided they accord with the locational hierarchy which seeks to concentrate developments in existing settlements in line with sustainability objectives.

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

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

Policy TSM1 Static Caravan and Chalet Sites is particularly pertinent to this development and stipulates that new sites will only be permitted within Development Limits with enhancements and extensions of existing sites only being permitted where it would not have an unacceptable impact upon the surrounding landscape, would not unacceptably increase the density of units and scale of the site and offers improvement.

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

Policy EQ6 Special Landscape Areas states that proposals for development which enhance or improve the Special Landscape Area through their design, appearance and landscape schemes will be permitted.

Policy EP2 Pollution states that proposal shall not conflict with air quality objectives, cause a deterioration in water quality; minimise noise and light pollution; risks arising from contaminated land are minimised.

Policy EP3 Sustainable Drainage states that proposals should adopt a sustainable drainage system or demonstrate why such a system has not been incorporated.

Welsh Government policy and guidance includes:

Planning Policy Wales (PPW) - 10th Edition - December 2018

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

Technical Advice Note (TAN) 13: Tourism (1997)

Technical Advice Note (TAN) 23: Economic Development (2014)

Technical Advice Note (TAN) 24: The Historic Environment (2017)

PPW (paragraph 5.5.3) while recognising the potential for rural tourism also highlights the need for development to have due regard to its setting; *“In rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy. Here development should be sympathetic in nature and scale to the local environment.”*

That national planning policy is further reflected in TAN6 which advises of the key role the local planning authority (LPA) has to play in supporting the delivery of sustainable rural communities while also protecting and enhancing the natural and historic environment. A key question for the planning authority, when determining planning applications, is whether the proposed development enhances or decreases the sustainability of the community. Paragraph 3.1.1 conveys that *“Strong rural economies are essential to support sustainable and vibrant rural communities. A strong rural economy can also help to promote social inclusion and provide the financial resources necessary to support local services and maintain attractive and diverse natural environments and landscapes”*.

TAN13 comments that tourism *“...makes a major contribution to the Welsh economy, provides employment in a wide variety of occupations and can bring benefits to local economies and communities in urban and rural areas”*. The balance between the potential tourism benefits and landscape harm are again highlighted; *“Holiday and touring caravan parks are an important part of the self-catering holiday sector and can contribute as much to the local tourism economy as serviced holiday accommodation, while using less land for the purpose. Holiday caravans can be intrusive in the landscape, particularly on the coast.”*

TAN23 requires local planning authorities to assess the economic benefit associated with determining planning applications for economic development. Where a planning authority is considering an application that could cause harm to social and environmental objectives, the latter of which has been highlighted as a concern by third parties, the TAN proposes an approach where three questions that should be asked:

- Are there alternative sites for the proposal?
- How many direct jobs will result from the proposal?
- And would such a development make a special contribution to policy objectives?

This approach echoes the central object of the planning system to steer development to the most appropriate sustainable locations.

TAN24 conveys that the local planning authority will need to make its own assessment of the impact of a development within the setting of a historic asset, such as a listed building. A judgement has to be made on a case by case basis whether a proposed development may be damaging to the setting of the historic asset.

THIRD PARTY REPRESENTATION

As noted in the summary above considerable objection has been received from both the local community council and residents. The grounds of objection can be broadly categorised as and discussed as:

The loss of the mature conifer tree line along the eastern boundary of the application site

This concern is a central thread throughout the objection received. Although the authority's response to the applicant's pre-application enquiry in part commented that the retention of the tree line would be beneficial in terms of screening, the trees were removed prior to the submission of the application. The objection conveys that the site is now unacceptably visible from nearby residential properties, the surrounding area, popular walking routes and at other key locations. In addition to the visual impact it is also said that the loss of the trees has resulted in noise and general disturbance now being experienced at nearby residential properties

While objectors have commented that the trees were required to be retained as part of an earlier planning permission, no documentary evidence in relation to the planning history can be found to substantiate that claim. The trees were not formally protected in any way.

A detailed landscaping scheme forms part of the application that shall provide for replacement planting along both the eastern boundary of the application site and also at the embankment along the western boundary adjacent to the existing static caravan area.

Highway Safety

Concerns surrounding the highway safety implications of the proposal again feature prominently in the objection with respondents expressing highlighting the nature of the access roadway, traffic generation, pedestrian/vehicle conflict and horse-rider/vehicle conflict. The difficulties already experienced with parking and the extent of recent development in Laugharne are also mentioned.

The application has been the subject of a thorough analysis by the Head of Transport who, following a site meeting with the applicant and the receipt of revised plans that detail three passing bays along the access lane along with visibility enhancement at both the site access and the access lane/St Clears road junction offers no objection to the application subject to the imposition of appropriate conditions. After the initial installation of the static caravans the traffic generated would be visiting cars only.

Visual/Landscape Impacts

As noted in the description of the application site above, the site lies within the Lower Taf Special Landscape Area as defined in the LDP and the area covered by the Laugharne/Taf Estuary Article 4 Direction. LDP policy SP16 states that proposals for development which enhance or improve the Special Landscape Area (SLA) through their design, appearance and landscape schemes will be permitted. The application site is clearly visible from nearby residential properties, the unclassified road which is said to be a popular walking route and from the graveyard to the rear of St Martin's Church, although that view is through trees which for the summer holiday period shall be in leaf.

During the course of the application a robust landscaping scheme has been secured that

provides for a native species hedgerow along the eastern and southern boundary of the application site, alongside which shall be native species woodland planting comprising some 230 plants ranging from 0.8m to 1.5m in height within a planting zone of at least 5m in width. The proposed planting scheme is to be repeated at the embankment along the western boundary adjacent to the existing static caravan area.

As the side boundary of the application site is presently open, affording views into the caravan park, the landscaping scheme is seen as an enhancement to the SLA and as such the Landscape Officer offers no objection subject to the imposition of appropriate conditions to secure the implementation and proper maintenance of the proposed planting scheme.

In terms of the Article 4 Direction, this serves only to preclude the usual permitted development rights associated with agricultural buildings and although the reasoned justification for the Direction recognised the existence of Ants Hill Caravan Park along with a second caravan park in Laugharne, no restrictions on caravan related development were included.

Having regard to the potential impact upon heritage assets, the application site is located outside the development limits for Laugharne, at what is therefore considered to be an open countryside location, some 180m north of the nearest point of the town's conservation area, adjacent to part of the curtilage of Mapsland, a Grade II listed, mid-nineteenth century, late Georgian country house.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon the LPA to have special regard to the setting of a listed building. In this respect the proposal has been the subject of thorough scrutiny by the Senior Built Heritage Officer who having considered the supporting document, 'The Survey of Sites of Historic Interest'; carried out her own inspection of the site and its surroundings; and had regard to the detailed landscaping scheme referred to above, offers no objection to the application.

Amenity Issues

Concerns have been raised with regard to noise and light pollution emanating from the now open western boundary of the application site. At the nearest point there would be a minimum of 50m from the nearest residential dwelling, Mapsland to one of the caravans in the proposed extended site, with Hillside directly to the east being some 165m distant. It is acknowledged however that part of the residential curtilage of Mapsland abuts the application site and although the common boundary comprises a wooded area, the application site shall be directly visible from a significant part of the rear garden. Similarly, Hillside to the west being at an elevated position in relation to the application site has direct views toward the site.

As noted earlier in this appraisal the established, boundary tree line which has been removed, to the stated effect that noise, light and general disturbance is now being experienced at the nearby residential properties, was not formally protected and the landowner did not require the approval of the LPA to fell the trees. There is therefore an existing situation that the detailed landscaping scheme, albeit over a period of time to establish, shall alleviate any noise and visual intrusion.

The Head of Public Protection has suggested a requirement for an acoustic fence which has not been included as a condition as the provision of natural landscaping is considered

to be a less harsh boundary treatment solution within the SLA.

Other matters

Other matters raised in objection include:

- *The application form incorrectly refers to the application site as vacant land when it is agricultural land – this is not considered to be a matter that goes to the heart of the determination of the application*
- *Increased pressure on services – sewerage, water, electricity - no concerns have been received from relevant consultees*
- *The land clearance has had a harmful effect upon biodiversity – no concerns have been received from the relevant consultee*
- *The application should include cross-section drawings to indicate the change in levels between the application site and adjoining land relevant levels – the plans include spot levels*
- *The application should be supported by a Noise Impact Assessment, Transport Statement and Planning Statement – the information submitted is considered to be sufficient to determine the application*
- *The proposed, additional caravans could have been located on the other side of the site, where he has a licence for tourers, and be barely visible – the application has to be determined in the form submitted*
- *The proposed development will harm the local economy as it will support very little employment – no new jobs are proposed; it is unlikely that a new tourism development shall harm the local economy*

CONCLUSION

The central issue in the determination of the application is considered to be whether the development and aspirations of the existing caravan park business can be accommodated without any material harm upon the landscape. This endeavour aligns with national planning policy and guidance that recognises the contribution tourism related development can make to the rural economy, balanced against the need to ensure that development proposals do not result in a significant adverse impact on the landscape. This consideration is reflected locally at LDP policy TSM1 - Static Caravan and Chalet Sites, that with regard to the extension of existing static caravan sites comments that development proposals will only be permitted where:

- 'a. The development will increase the vitality, sustainability and environmental quality of the site;*
- b. It will not result in an unacceptable increase in the density of units and/or the overall scale of the site;*
- c. It enhances the surrounding landscape and townscape;*
- d. It provides (where appropriate) for the significant improvement of the overall quality, appearance and setting of the site'*

In examining the landscape impact it is acknowledged that the removal of the mature, coniferous tree line along the eastern boundary of the site, that served to almost completely screen both the application site and the existing static caravan park, shortly before the submission of the application has directly resulted in both now being clearly visible to nearby residents and road users. The LPA however had no control over the tree felling that results in the present situation.

The presence of 18 static units on previously undeveloped land shall undoubtedly change the character and appearance of the application site which is presently a pleasant grassed field. In the context of openness and visual impact, even though they would be static caravans the implementation of the proposed development shall have the appearance of 18 new buildings where previously there had been none.

The detailed landscaping scheme on maturity, which it is accepted shall take time, shall serve as both a visual screen and acoustic barrier. While it is acknowledged that the screening effect shall be somewhat limited from the lane and at the residential properties at Hillside to the east due to their elevated position in comparison to the low lying nature of the application site, the proposed planting along the embankment within the application site shall grow to screen the existing static caravans which are presently clearly visible from those vantage points. The proposed planting shall also ensure that the development has no unacceptable adverse effect upon the listed building, Mapsland.

The existing caravan park is substantial and cannot be considered anything other than as a permanent feature in the rural area. Although the landscaping scheme shall result in a significant degree of screening, it has to be acknowledged that screening cannot obscure all signs of this type of development and the screening itself influences the character of the landscape. The new hedge and woodland planting, comprising native species, is appropriate to the area and shall provide a natural boundary within the SLA.

It is considered that the detailed landscaping scheme secured in the application would enable an effective long term solution to deliver landscape policy objectives; result in an enhancement to the SLA within which the existing caravan park is now readily visible and represent an appropriate form of mitigation and enhancement in the context of policy TSM1.

Having due regard to the concerns of the objectors; the absence of any sustainable objection from any of the statutory consultees; or other material considerations to outweigh the relevant development plan policy considerations, it is considered on balance that the proposed change of use of the land as an extension to the existing caravan park should be granted planning permission subject to the conditions listed below.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
 - 1:1250 scale Location Plan (100 Rev. D) received 25th September 2018;
 - 1:250 scale Block Plan (03 Rev. E) received 13th February 2019;
 - 1:500 scale Site Layout Plan (02 Rev. E) received 13th February 2019;

3 Prior to the commencement of any works associated with the development hereby approved, a Construction Exclusion Zone (CEZ) shall be established to protect all existing vegetation identified for retention. The CEZ shall be defined by a barrier of a specification appropriate to exclude the degree and proximity of all construction phase operations. The barrier shall form a continuous length, aligned as follows: -

- to the perimeter of root protection areas, defined in accordance with BS5837 of all trees, groups of trees or woodland located within, on, or with a canopy spread which overhangs the site boundary.

- to 1.5m from the edge extent of above ground growth of all shrub masses, hedges and hedgerows located within or on the site boundary.

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

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

4 The approved Detailed Landscape Design Scheme, as defined in the approved drawings shall be fully implemented in the first available planting and seeding seasons following commencement of development.

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

5 Prior to the commencement of any work on any other part of the development hereby permitted, a visibility splay of 2.4 metres x 43 metres shall be formed and thereafter retained in perpetuity, to the west side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.

6 Prior to the commencement of any work on any other part of the development hereby permitted (other than the visibility splay required at condition 5 above), a visibility splay of 2.4 metres x 80 metres shall be formed and thereafter retained in perpetuity, to the east side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.

- 7 The 3.no passing places as shown on the 1:500 Proposed Site Plan, Drawing No. 02 Rev: E, shall be implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.
- 8 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.
- 9 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.
- 10 The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.
- 11 All foul water from the development shall be discharged to the public sewer.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To define the extent of the permission.
- 3-4 To ensure that the detailed landscaping design scheme required to meet relevant policy objectives is appropriately delivered and maintained.
- 5-9 In the interest of highway safety.
- 10 To the provision of permanent housing would be contrary to national and/or local policies.
- 11 To secure the provision of an appropriate foul drainage strategy.

NOTES

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

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent

developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

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

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

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

Application No	W/38395
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Application Type	Full Planning
Proposal & Location	PROPOSED REPLACEMENT LIVESTOCK BUILDING WITH UNDER FLOOR SLURRY STORAGE AT NANTYGELLI FARM, CYNWYL ELFED, CARMARTHEN, SA33 6UT

Applicant(s)	DAVID ANTHONY THOMAS, NANT Y GELLI FARM, CYNWYL ELFED, CARMARTHEN, SA33 6UT
Agent	
Case Officer	Charlotte Greves
Ward	Cynwyl Elfed
Date of validation	08/02/2019

CONSULTATIONS

Cynwyl Elfed Community Council - No response received to date.

Local Member – Cllr I Jones is a member of the Planning Committee and has made no prior comment.

Natural Resources Wales - No objection raised subject to compliance with The Water Resources (Control of Pollution) Silage, Slurry and Agricultural Fuel Oil (Wales) Regulations 2010 (SSAFO).

Neighbours/Public – The application has been publicised by way of a site notice. No third party representations have been received to date.

RELEVANT PLANNING HISTORY

W/38353	Proposed agricultural livestock cubicle building Prior approval not required	08/03/2019
W/33911	Replacement livestock building with under floor slurry storage Full planning permission granted	21/07/2016
W/32333	Proposed agricultural track/road to improve access and egress of cattle and farm machinery Prior approval not required	22/07/2015

W/32332	Proposed portal frame replacement building for livestock housing and feed Prior approval not required	21/07/2015
W/30026	Excavated rock to be used for land drainage and formation of tracks. The burrow pit to be reinstated as pasture Prior approval not required	7/05/2014
W/30025	Proposed cattle access tracks Prior approval not required	7/05/2014
TMT/03200	Livestock building and slurry storage Full planning permission granted	7/03/2003
TMT/03199	Road (agricultural determination) Planning permission not required	19/02/2003
TMT/02289	Agricultural implement building Planning permission not required	10/10/2002
W/00412	Milking parlour, dairy and collecting yard Planning permission not required	18/11/1996
D4/23934	Livestock feeding/housing building Planning permission not required	22/09/1993

APPRAISAL

This application is being reported to the Planning Committee as the applicant is related to an employee of the Development Management Service.

THE SITE

The application site forms part of Nantygelli Farm, Cynwyl Elfed, Carmarthen. The farm currently operates a dairy herd and is located approximately 1.8km due east of the hamlet of Esgair. The surrounding area is characterised by rolling pastureland and isolated rural dwellings and farms.

THE PROPOSAL

The current application is for planning permission to replace an existing portal frame building, currently used for livestock housing, with a replacement portal frame structure adjoining an existing agricultural building. The replacement building would have a floorspace of 408.61 sqm which would result in an increase in floorspace of 51.93 sqm in comparison to the existing structure. The building would be constructed using a combination of prefabricated concrete panels, box profile cladding and fibre cement sheeting. The proposed use of the building is for livestock housing with an underground slurry store also proposed that would link with the existing, recently replaced building and newly constructed underground slurry store. The proposed replacement building is intended to facilitate expansion of the existing dairy herd from 85 to 140 cows.

PLANNING POLICY

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

Policy GP1 Sustainability and High Quality Design 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".

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

Planning Policy Wales Edition 10 – December 2018 provides the following guidance in respect of rural developments:

"5.6.1 A strong rural economy is essential to support sustainable and vibrant rural communities. The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas."

"5.6.6 Planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation."

THIRD PARTY REPRESENTATIONS

No third party representations have been received in respect of this development.

CONCLUSION

The proposed replacement agricultural building would adjoin the existing agricultural building immediately to the east with the main views of the building afforded from the unclassified road located approximately 300m to the south. The replacement building would be seen within the context of the existing farm complex would match the building it is to adjoin in terms of appearance, constructed using matching materials and of a similar form and design.

It is considered that the proposed building would be in keeping with the character and appearance of the site and is of a design that pays due regard to its context. Given that the replacement building would be only slightly larger than the building it is to replace the impact on the surrounding landscape is considered to be negligible. The proposed use of the building is the same as existing and whilst an increase in cattle numbers is proposed,

there are no residential properties within close proximity to the site that would be adversely affected.

Natural Resources Wales (NRW) were consulted given the potential implications of slurry discharges on the surrounding environment. No objection has been raised subject to the installation being constructed in accordance with SSAFO regulations 2010. The applicant has indicated that the slurry store would be designed to accord with the relevant regulations and any Nitrate Vulnerable Zone (NVZ) requirements with a minimum 5 months of slurry storage.

After careful consideration of the scheme as submitted it is considered that the proposed development would accord with the relevant policies of the LDP.

RECOMMENDATION – APPROVAL

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
 - Location Plan 1:2500 @ A Received 7th January 2019;
 - Proposed Site Plan 1:500 @ A3 Received 15th February 2019;
 - Proposed Layout Plan 1:100 @A3 Received 15th February 2019;
 - Existing/Proposed Cross Section Plan 1:100 @ A3 Received 15th February 2019;
 - Typical Cross Section Plan 1:100 @A3 Received 7th January 2019;
 - Existing Western Elevation Plan 1:100 @A3 Received 7th January 2019;
 - Existing South Elevation Plan 1:100 @A3 Received 7th January 2019;
 - Proposed North Elevation Plan 1:100 @ A3 Received 7th January 2019;
 - Proposed West Elevation 1:100 @ A3 Received 7th January 2019;
 - Proposed North Elevation 1:100 @ A3 Received 7th January 2019;
 - Proposed East Elevation 1:100 @ A3 Received 7th January 2019;
 - Agricultural Evaluation Questionnaire Received 7th January 2019.

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.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposed development complies with Policies GP1 and EP1 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that the proposed development would be of a scale and nature that would be compatible the character and appearance of the site and with the existing buildings on the farm complex. It is considered that the proposal would have a negligible impact on the surrounding landscape and there would be no adverse impacts upon the residential amenity of nearby properties. Furthermore, subject to compliance with the relevant regulations in respect of slurry management, the development would not lead to a deterioration of either the water environment and/or the quality of controlled waters.

NOTES

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

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

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

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

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

Mae'r dudalen hon yn wag yn fwriadol

Y PWYLLGOR CYNLLUNIO**19 CHWEFROR 2019****YN BRESENNOL:** Y Cynghorydd A. Lenny (Cadeirydd)**Y Cynghorwyr:**

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

Roedd y Swyddogion canlynol yn bresennol yn y cyfarfod:

G. Noakes, Uwch-swyddog Rheoli Datblygu [Rhanbarth y Dwyrain];
 J. Thomas, Uwch-swyddog Rheoli Datblygu [Rhanbarth y De];
 Z.A. Evans, Uwch-dechnegydd (Cyswllt Cynllunio);
 G. Morgan, Technegydd Cynorthwyol (Cyswllt Cynllunio);
 S. Murphy, Uwch-gyfreithiwr;
 J Owen, Swyddog Gwasanaethau Democraidaidd.

Y Siambr, Neuadd y Sir, Caerfyrddin: 12:30pm - 1:50pm**1. YMDDIHEURIADAU AM ABSENOLDEB**

Cafwyd ymddiheuriadau am absenoldeb gan y Cynghorydd P. Edwards a'r
 Cynghorydd K. Lloyd.

2. DATGAN BUDDIANNAU PERSONOL

Y Cyngorydd	Rhif y Cofnod	Y Math o Fuddiant
J. James	3.1 – Cais cynllunio - S/38052 - Newid defnydd hen Gapel Seion (D1) i ddarparu swyddfeydd ar y llawr gwaelod (B1) a chreu dwy lefel ychwanegol o lety (C3), 2 fflat 2 ystafell wely ar y ddau lawr (cyfanswm o 4 fflat 2 ystafell wely) yng Nghapel Seion, Stryd Parc-y-Minos, Porth Tywyn.	Mae'n byw ar yr un stryd â'r ymgeisydd. Mae'n adnabod yr ymgeisydd.
J. James	4 - Cais cynllunio S/38235 Rhanbarth y De - Penderfynu ar geisiadau cynllunio	Mae wedi cefnogi'r cais yn gyhoeddus.
K. Howell	4 - Cais cynllunio S/38235 – Rhanbarth y De - Penderfynu ar geisiadau cynllunio	Mae'n Gyfarwyddwr ar Gwmni Tai Lleol Cyngor Sir Caerfyrddin - Cartrefi Croeso

3. YSTYRIED ADRODDIADAU'R PENNAETH CYNLLUNIO AR Y CEISIADAU CYNLLUNIO CANLYNOL [A OEDD WEDI BOD YN DESTUN YMWELIADAU SAFLE BLAENOROL Y PWYLLGOR] A PHENDERFYNU AR Y CEISIADAU

3 (A) S/38052 - NEWID DEFNYDD HEN GAPEL SEION (D1) I DDARPARU SWYDDFEYDD AR Y LLAWR GWAELOD (B1) A CHREU DWY LEFEL YCHWANEGOL O LETY (C3), 2 FFLAT 2 YSTAFELL WELY AR Y DDAU LAWR (CYFANSWM O 4 FFLAT 2 YSTAFELL WELY) YNG NGHAPEL SEION, STRYD PARC-Y-MINOS, PORTH TYWYN.

[Sylwer: Gan ei fod wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd y Cynghorydd J. James Siambr y Cyngor cyn i'r Pwyllgor ystyried y mater a phenderfynu arno.]

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y De) at ymweliad preifat â'r safle gan y Pwyllgor yn gynharach y diwrnod hwnnw (gweler cofnod 4 o gyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 7 Chwefror 2019) a drefnwyd er mwyn i'r Pwyllgor gael golwg ar y safle a threfniadau o ran mynediad. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad ysgrifenedig y Pennaeth Cynllunio 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 polisïau 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 ei hadroddiad ysgrifenedig hi.

Rhodddwyd gwybod i'r Pwyllgor gan yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y De) bod argymhellion ar gyfer gwrthod wedi dod i law gan Gyngor Tref Pen-bre a Phorth Tywyn a bod yr Aelodau Lleol wedi ymateb ar ran y preswylwyr lleol. Roedd y prif faterion a oedd yn peri pryder yn ymwneud â'r mynediad a'r sefyllfa parcio ceir bresennol yn Stryd Parc-y-minos, a'r problemau o ran draenio dŵr wyneb yn ystod cyfnodau o law trwm.

Ymatebodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y De) i'r materion a godwyd fel y manylir arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio.

Nododd yr Aelodau nad oedd y Pennaeth Priffyrdd a Thrafnidiaeth wedi gwrthwynebu'r cais a'u bod yn credu bod yr argymhellion yn adlewyrchu defnydd sefydledig y safle a'r ffaith fod y datblygiad arfaethedig yn cael ei ystyried fel y defnydd lleiaf dwys o'r safle.

PENDERFYNWYD caniatáu Cais Cynllunio S/38052, yn amodol ar yr amodau y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio.

3.2. **W/37267 - ADEILADU 2 BRESWYLFA TAIR YSTAFELL WELY (1 FFORDDIADWY, 1 AR Y FARCHNAD AGORED), AR DIR GER LLYS BRIALLU, SARNAU, BANCYFELIN, SA33 5EA.**

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y Dwyrain) at ymweliad preifat â'r safle gan y Pwyllgor yn gynharach y diwrnod hwnnw (gweler cofnod 6.4 o gyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 13 Rhagfyr 2018) a drefnwyd er mwyn i'r Pwyllgor gael golwg ar y safle a threfniadau o ran mynediad. Cyfeiriodd, gyda chymorth sleidiau PowerPoint, at adroddiad ysgrifenedig y Pennaeth Cynllunio 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 gwrthod y cais am y rhesymau y manylwyd arnynt yn ei hadroddiad ysgrifenedig.

Pwysleisiwyd i'r Pwyllgor gan yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y Dwyrain) y dylai argymhelliad gwrthod rhif 2 yn adroddiad ysgrifenedig y Pennaeth Cynllunio ddarllen fel a ganlyn:

'Mae'r cynnig yn groes i baragraffau 9.3.6 o Bolisi Cynllunio Cymru (Argraffiad 10, Rhagfyr 2018), sy'n nodi:-'

Dywedodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y Dwyrain), er nad oedd Cyngor Cymuned Llannewydd a Merthyr yn gwrthwynebu'r cais, fod nifer o bryderon wedi'u cyflwyno ynghyd â llythyrau gan bedwar cartref cyfagos yn ogystal â deiseb a oedd wedi'i llofnodi gan ugain o bobl. Roedd y prif faterion y soniwyd amdanynt yn ymwneud â'r canlynol:

- diffyg cyfleusterau i gerddwyr rhwng pentrefan Sarnau a'r pentref agosaf sef Bancycyfelin;
- cyflymder y ffordd, sef y terfyn cyflymder cenedlaethol gyda thraffig parhaus;
- yr hawl dramwy breifat drwy safle'r cais i gefn eu heiddo er mwyn gallu gwagio tanciau septig/carthbyllau.

Daeth pryderon pellach i law gan eiddo cyfagos gan fynegi nifer o faterion yn ymwneud â'r datblygiad arfaethedig, y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio.

Roedd gan y Pennaeth Priffyrdd a Thrafnidiaeth bryderon yn ymwneud â safonau gwelededd ar leoliad mynedfa arfaethedig y safle tua'r gorllewin a bod y cais yn groes i Bolisi TR3.

Ymatebodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y Dwyrain) a'r Uwch-dechnegydd (Cyswllt Cynllunio) i'r materion a godwyd.

PENDERFYNWYD gwrthod Cais Cynllunio W/37267 am y rhesymau y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio.

4. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO

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

S/37075	<p>Dymchwel adeilad presennol yr ysgol ac ailddatblygu'r safle ar gyfer ysgol newydd, maes parcio, maes chwaraeon, maes chwarae amlddefnydd a gwaith isadeiledd cysylltiedig yn Ysgol Gynradd Gymunedol Pen-bre, Heol Ashburnham, Pen-bre, Llanelli, SA16 0TP.</p> <p>(NODER: Roedd y Cyngorydd J. James a'r Cyngorydd K. Howell wedi datgan buddiant yn y cais hwn yn gynharach a gadawsant y Siambr tra oedd y cais yn cael ei drafod gan y Pwyllgor ac ni wnaethant gymryd rhan yn y penderfyniad yn ei gylch.)</p> <p>Nododd yr Aelodau'r manylion a oedd wedi'u cynnwys yn yr atodiad.</p>
S/38235	<p>Cynnig i adeiladu datblygiad preswyl sy'n cynnwys 32 o unedau a'r mynediad cysylltiedig, maes parcio, tirweddu a gwaith isadeiledd ar dir yn Nheras Glanmor, Porth Tywyn, SA16 0NE.</p> <p>Dywedodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y De) fod y Pennaeth Trafnidiaeth wedi cyflwyno amodau ychwanegol ar ôl i'r atodiad gael ei gyhoeddi. Tynnwyd yr amodau ychwanegol at sylw'r Pwyllgor drwy atodiad ar lafar.</p>

CADEIRYDD

DYDDIAD

[SYLWER: Mae'r cofnodion hyn yn adlewyrchu trefn y materion ar Agenda'r cyfarfod, a all fod yn wahanol i'r hyn a geir mewn unrhyw weddarllediad oherwydd byddai'r Pwyllgor wedi ymdrin yn gyntaf â cheisiadau lle roedd aelodau o'r cyhoedd yn bresennol i siarad yn eu cylch.]