Pecyn Dogfennau

Wendy Walters
Prif Weithredwr,
Chief Executive,
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DYDD MAWRTH, 4 CHWEFROR 2020

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, CAERFYRDDIN, SA31 1JP** AM **1.30 YP, DYDD MAWRTH, 11EG CHWEFROR, 2020** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Wendy Walters

PRIF WEITHREDWR

AILGYLCHWCH OS GWELWCH YN DDA

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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** (Cadeirydd)	Aelod o Gyngor Tref Caerfyrddin
7.	**Y Cynghorydd Jean Lewis**	
8	**Y Cynghorydd Dorian Phillips**	
9.	**Y Cynghorydd Gareth Thomas**	Aelod o Gyngor Cymuned Llanedi
10	**Y Cynghorydd Eirwyn Williams**	

Y GRŴP LLAFUR – 4 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
5.	**Y Cynghorydd Kevin Madge**	Aelod o Gyngor Tref Cwmaman

Y GRŴP ANNIBYNNOL – 4 AELOD

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

Y GRŴP ANNIBYNNOL NEWYDD – 2 AELOD

1.	**Lle Gwag**
2.	**Lle Gwag**

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

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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**	
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Application No	**S/39358**

Application Type	Full Planning
Proposal & Location	CHANGE OF USE OF THE PROPERTY FROM A CLASS C3 RESIDENTIAL DWELLING TO A CLASS C2 CHILDRENS RESIDENTIAL HOME AT 2 ERW LAS, LLWYNHENDY, LLANELLI, SA14 9SF

Applicant(s)	FRESHSTART CARE LTD, C/O AGENT,
Agent	ASBRI PLANNING - MR TOMAS HOPKINS, SUITE D, 1ST FLOOR, 220 HIGH STREET, SWANSEA, SA1 1NW
Case Officer	Zoe James
Ward	Llwynhendy
Date of validation	29/08/2019

Reason for Committee

This application is being reported back to the Planning Committee following the initial report to Planning Committee on 14 January 2020 where it was agreed to undertake a Site Visit. The application was initially reported to Planning Committee following a call-in request by Councillor Cundy and Councillor Sharen Davies and following the receipt of more than five objections from third parties.

Mr Ian Morgan has requested that the Planning Committee also visit no. 4 Erw Las, the adjoining property to the application site, whilst visiting the site on 11 February 2020. Mr Morgan has been advised that the request has been forwarded and will be at the discretion of the Planning Committee.

Site

The application site comprises no. 2 Erw Las a semi-detached dwellinghouse and associated parking and garden area to the rear. The property consists of a two storey renovated cottage fronting Erw Las in Llwynhendy. The property was extensively enlarged following granting of planning permission for a two storey extension to the rear in 2000. As a result, the dwellinghouse now has seven bedrooms, four of which benefit from individual ensuite bathroom facilities. At ground floor the accommodation comprises one of the bedrooms, alongside a large lounge, breakfast room, utility room, kitchen, dining room and two small toilets.

The property also benefits from a long extensive private garden area to the rear, this is accessed via a side driveway which allows access to car parking to the rear.

The property is situated within the defined development limits of Llanelli. To the east of the site is the C2206 classified road Erw Las beyond this and to the west of the site is open fields. Immediately to the south is adjoining property 4 Erw Las and a further detached property Ty To Maen beyond this. Directly to the north is grassland beyond which land is allocated for residential development under reference GA2/H35 in the adopted Local Development Plan.

Proposal

The current planning application seeks change of use of the existing dwelling house for use Class C2 as a children's residential home. No physical external alterations are proposed to the dwelling or curtilage with the exception of the creation of a dedicated parking area to the rear to provide spaces for 3 cars. A new bike store is also proposed within the rear patio/garden area to allow secure storage for bicycles.

The proposed use will provide residential care for three young people between the ages of 11 and 18 years and will result in the employment of 4 staff members at the property (original submission proposed four young persons). It is understood that there will be two staff members at the property at all times and a staff change once every 12 hours. The team leader will be present to transfer information to the incoming team and shift changeover.

The applicants Freshstart Care Ltd have confirmed that the home will be used for vulnerable, neglected and disadvantaged children who are currently in the care of a Local Authority and need a safe home. The proposal is not to accommodate children who are in the justice system. There has been a lot of miscommunication surrounding the application and the children who may be accommodated at the site.

Planning Site History

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

S/05641 PERMISSION TO USE 2 BEDROOMS AS OVERSPILL GUEST HOUSE ACCOMMODATION - MAXIMUM OF 4 GUESTS
Retrospective Change of Use
Full Granted - 29/01/2004

S/02789 RENOVATION OF EXISTING DWELLING AND CONSTRUCTION OF 2 STOREY EXTENSION
Full Granted - 21/12/2000

Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP')
SP1 Sustainable Places and Spaces
SP3 Sustainable Distribution- Settlement Framework
SP9 Transportation
H6 Residential Care Facilities

Carmarthenshire Supplementary Planning Guidance

National Planning Policy and Guidance is provided in Planning Policy Wales (PPW) Edition 10, December 2018 and associated Technical Advice Notes (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – raised initial queries regarding staff arrangements and parking requirements at the property. Following discussion with the agent and submission of a revised parking layout, the Highways Officer has confirmed no objection subject to imposition of conditions.

Head of Public Protection - No observations.

Llanelli Rural Council – object to the application and consider that the use is inappropriate in this location given the number of vehicles accessing the site being detrimental to highway safety, parking provision is insufficient, the proposed use does not complement the use of the adjoining semi-detached residential dwelling and will have a detrimental impact on the residential amenity of this property and other neighbours.

Local Member - Councillor Sharen Davies has objected to the application on grounds of increased noise, highway safety, parking arrangements, flooding concerns, safety of existing residents, property value and insufficient consultation with members of the community. Cllr Davies also requested that the application is considered at Planning Committee, that a site visit be undertaken and she would like to speak against the application.

Local Member - Councillor Fozia Akhtar has not commented to date.

Local Member - Councillor Deryk Cundy from the adjacent ward has also objected on the basis that there is no correlation with the housing of children on the Council Register given the Local Authority are not involved with the project, the property is inappropriate, insufficient parking, the proposed use of the property is unknown and there is a lack of information or details regarding the regulation of the property, qualifications and safety of staff. Reference is also made to the concerns of local residents regarding their security and safety given the lack of information regarding the future occupants and no consultation with the community.

Community Councillor – Councillor Jason Hart has also objected given the numerous objections received from local residents and considers that the proposal will result in a hostile environment for the children. Also concerns regarding increased traffic flow, increased noise, lack of car parking and no option to extend further given flooding concerns. Requests a site visit is undertaken.

Carmarthenshire Children's Services – advise that they do not use private residential homes for looked after children so will be utilised by outside local authorities.

Police Liaison - No observations received to date.

All representations can be viewed in full on our website.

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and site notices posted in the vicinity of the site and along Erw Las.

Over 30 representations were received, all objecting, with the exception of 2 in support, and the matters raised are summarised as follows:

- Fresh Start Care Serviced Ltd will be caring for young vulnerable people between ages of 16-21 years of age who may have a history of offending and this is not suitable in a semi-detached private property within a rural residential area.
- There are existing problems in the area concerning anti-social behaviour, fly tipping, traffic incidents and drug usage.
- Social problems presently experienced in Erw Law could cause aggravation and trouble for vulnerable youngsters.
- A petition has been started which is already on 133 signatures from people in the community.
- The safety of existing children is paramount, the proposal will jeopardise this.
- There are a lot of elderly residents within the street who will be very vulnerable.
- The community is very family oriented with 4 primary schools and a number of nurseries.
- Concerns raised regarding next door neighbour who has recently been burgled and will be negatively impacted by the proposal, particularly through additional noise from the development.
- If the company proposing the development did not know that they need planning permission then there is extreme doubt of their professionalism.
- Appears that the company are not disclosing information, if the property is used to house young offenders then this is Use Class C2A rather than C2 which is what the application refers to. Also the ratio of staff to children confirms suspicions that trouble will be expected.
- Inconsistency between application submission and Fresh Start Care website.
- Proposal fails to comply with Policy GP1, H3, SP1, SP2, EP1 and EP3 of the Council's Local Development Plan.
- Many more suitable buildings elsewhere in Llanelli, children in care face huge challenges and need to be in an appropriate location.
- Limited information has been provided to neighbours regarding the future occupants.
- The applicant should expand on what measures will be put in place to supervise the young people living there and their safety.
- Existing services and facilities are already overwhelmed and do not have capacity for additional residents.
- Erw Las is being used as a short cut to the link road to Llanelli and Burry Port so is a dangerous road, the 30mph speed limit is ignored and there is no pavement along the side of the road on which the property is situated.
- Staff arriving at the property will add traffic on a quiet rural byway.

- Cycling on the roads is dangerous.
- Property is on a flood plain and has previously been flooded despite application form not making reference to this.
- The previous use of the property as overflow accommodation for Llwyn Hall Hotel caused nuisance to neighbours at times.
- No amenities of suitable interest for youngsters nearby.
- Reference is made to no work being undertaken yet all of the rooms are already set up for occupation
- Brand new company set up with no experience, with the primary motive being financial gain.
- Proposal will be used to house children from outside the local area, the company are set up outside of Wales.
- Where would the resources come from for the children when they leave the care system?
- Detrimental impact on house prices.
- Limited consultation taken place with residents.
- Everything for this proposed development has been done covertly until it was reported to the planning and enforcement officer.
- Support the proposal and consider more homes should be built/set up if required.
- Children should not be defined by the crimes they have committed, they are misguided and unloved.
- People need to learn to be more compassionate, open minded and not live in fear of what is posted on social media.
- More should be done to educate people.
- Scaremongering to local community causing numerous objections. Instead community should be supporting the youngsters.

All representations can be viewed in full on our website.

Appraisal

Clarity regarding the proposal

There has been a significant number of objections raised regarding the application and concerns regarding the nature of the proposed occupants. A number of the objections make reference to the proposed residents being criminals or young offenders and the care home being a secure establishment. This is incorrect. The application seeks change of use for a children's residential care home to provide a suitable home for disadvantaged children within the case system. Care is to be provided in a family type environment for a maximum of three children and four staff members working on a shift pattern to cater for the resident's needs. The proposed use falls within the definition of Use Class C2 which is specified as: "*residential accommodation and care to people in need of care – residential schools, colleges or training centres, hospital or nursing home*." The proposal does not fall within the separate Use Class C2a which refers to a secure residential institution and includes prisons, young offenders' institution and detention centre etc.

The applicant, Freshstart Care Ltd do not presently have a website. The company trading under the same name is entirely separate to the applicants for the proposed development as confirmed in writing in the letter from Asbri Planning dated 21 October 2019. On this basis, a number of the concerns raised by members of the local community in their objections to the proposal are misplaced and irrelevant.

Principle of development

The planning application proposes a change of use from the existing residential dwelling to a children's care home under use class C2. Policy H6 of the Adopted Local Development Plan (LDP) is the most pertinent in the consideration of the application. The policy permits proposals for residential care facilities within development limits of a defined settlement where it has safe and convenient access to community facilities and services. The site is located within the defined development limits of Llanelli and is within walking distance of local facilities in Llwynhendy and bus stops providing services to Swansea, Llanelli and the local area. Whilst it is noted reference is made to there not being a footway along the road from the site to the bus stops, there is a pedestrian footway on the opposite site of the road which runs up Erw Las with only a section on Parc Gitto to the north not benefiting from a separate pedestrian pavement. The Authority's Head of Highways has not raised any concerns in this regard.

In addition, the supporting text to the policy acknowledges that "the inclusion of such facilities within the development limits ensures that residents remain integrated into the community." As such, the location of the site within the existing community is considered to comply with policy requirements.

Comments have been received from the Authority's Children's Services Team who advise that they do not support the proposal on the basis that the service does not use private residential homes for looked after children and as a result the proposal will be utilised by other local authorities. However, the applicant is not a consideration in the determination of planning applications, the process is unable to differentiate between whether the service would be operated by the Authority or a private service provider.

Impact upon character and appearance of the area

In terms of the impact of the use on the existing character and appearance of the locality, the proposal involves no external changes to the building fabric of the host property and limited external changes to the curtilage. The property would retain its appearance as a large, semi-detached domestic property with large garden alongside patio and parking area to the rear. The change of use would have limited impact on the general character of the surrounding area.

The proposal is to provide residential care for up to three children/young people occupying the property who are intending to live as a family. Notwithstanding the provision of care to the residents, the use of the property will remain residential within an area largely dominated by residential development and within defined development limits and would not impact on the character of the locality.

Residential Amenity Considerations

In terms of the impact on the amenity of the adjoining residential property and neighbouring properties, the main issues to consider include noise and loss of privacy. Firstly, turning to noise, the proposed change of use remains within a residential use and given the proposal seeks consent for a maximum of three children at the property there will not be an excessive number of children residing at the property. The application site is a large property benefiting from a number of large double bedrooms and as such could be occupied by a large family now with excess of three children without any planning

permission required. As such, it is not considered that the proposal will exceed normal noise levels generated by a large residential property. Notwithstanding this, conditions are suggested to be imposed on any planning permission granted restricting noise levels and ensuring any necessary noise insulation is installed to protect any potential impact on the neighbouring occupier.

Turning to loss of privacy, the application site consists of a semi-detached dwelling with rear garden of the neighbouring property also running in parallel. There are three windows on the rear elevation of the site which directly adjoin the neighbouring property and one side window on the vast extension to the property which looks towards the garden of the neighbouring property. This window and one on the rear elevation are shown to be bathroom windows on the submitted floor plans and therefore would be obscure glazed. The other two windows on this element of the rear elevation do allow views into the rear area of the garden of no. 4 Erw Las yet are not oriented towards the property.

A number of objections raised make reference to current anti-social behaviour problems relating to the locality and raise concern that this proposal will exacerbate the situation. Existing issues are matters for the police and the proposal, which is a residential use for a maximum of three children, is unlikely to result in such high levels of anti-social behaviour to warrant the refusal of the planning application. Furthermore, concerns are raised regarding community safety in relation to the nature of the residents of the property. The development is not considered to be of a scale or nature to raise adverse concerns in this regard. The submitted details highlight that staffing arrangements ensure care will be provided to the residents on a 24 hour basis and the occupants are no more likely to disturb or adversely impact on neighbours than the occupants of a large family home.

In land-use terms this proposal appears very much like a large family home but arguably what makes it different is the perceived personalities of the young people that would occupy the property and the potential level of disruption that might arise from their behaviour. This is somewhat of an unknown, variable factor and one that it is difficult to predict in the consideration of this planning application. The intensity of the use of the site would differ to some degree from that of a normal household as the level of care and support may result in a more frequently accessed site by staff and is likely to lead to some additional activity compared to its use as a single dwelling. However, the applicants have advised that the shift operation would be 12 hourly with only two changeover points per day. Otherwise the submission highlights that the peak traffic generation from the property would be broadly similar to that of a normal dwelling with regard to the school run etc. The movements caused by staff members would be relatively minor and would not be significant in relation to impact on local amenity.

In line with the Regulation and Inspection of Social Care Act (Wales) 2016, the applicant is required to register with the Care Inspectorate Wales (CIW) prior to providing a care service. As part of the application process a premises assessment is undertaken to evaluate and assess the suitability of the proposed premises in line with the needs of the intended occupiers. The applicant have advised that they are in the process of obtaining the relevant licence and without which it will not be possible for the care home to operate. The management of the site would then be regulated by the Care Inspectorate Wales independent of the planning process.

As a result, it is considered that the proposed development complies with policy GP1 and in particular part d) in so far as any potential impact on amenity of adjacent residents.

Highway Impacts

A number of objections received refer to the inadequacy of the existing road network, existing problems concerning dangerous driving and traffic incidents and consider that the proposal and the parking arrangements for the property will heighten the problems.

In considering the traffic and transport implications of the proposed change of use it is noted that the site benefits from three parking spaces permitted to the rear of the site as part of the previous permission granting use of two bedrooms of the property for overflow guest house accommodation. The Authority's Highways Planning Liaison Officer has queried the staff arrangements at the property and the previous potential intensification proposed on an existing sub-standard access. Following additional information submitted from the agent and a reduction in the number of children proposed to reside at the property and therefore reduction in staff, the proposal will now not require an additional level of parking than the existing use. The Highways Officer has confirmed no objection subject to imposition of conditions.

In terms of the additional traffic associated with the proposal, as acknowledged above the traffic movements will largely be as expected for a family dwelling with the additional movements caused by staff members being limited.

Flood Risk Implications

Many of the objections refer to flooding concerns at the application site and make reference to historic flood events at the property and adjoining property. However, the site is located within Zone A on the Development Advice Maps. Technical Advice Note (TAN) 15: Development and Flood Risk. TAN15 defines Zone A as being land considered to be at little or no risk of fluvial or tidal/coastal flooding and no further flood risk consideration is required.

Nevertheless, the change of use proposed remains a residential use and therefore is considered 'highly vulnerable' development, as per the existing use at the property. On this basis, there is no change in the vulnerability of the site as a result of the proposal.

Lack of transparency/consultation

A number of the objectors make reference to there being limited consultation undertaken with members of the local community. For an application of this scale (not major development) there is no requirement under planning legislation to carry out pre-application consultation with local residents.

In line with Article 12 (5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), the Local Planning Authority must publicise an application by giving requisite notice-

(a) by site notice displayed in at least one place on or near the land to which the application relates for not less than 21 days; or
(b) by serving notice on any adjoining owner or occupier.

Consultation letters were sent to neighbouring properties and two site notices were erected within the vicinity of the site along Erw Las. As such, the requirement for the Local

Planning Authority to undertake relevant publicity has been undertaken in compliance with the regulations.

Other Matters

In terms of the other matters raised and not addressed above, the number of staff proposed is not the ratio of staff to children and all four staff members will not be working at the property at the same time. There will be two members of staff per 3 children at the property. Comments have been received stating that the use should be located elsewhere, the planning application must be considered on the basis of what has been submitted and other locations are not reviewed as part of this application.

Objections are raised regarding pressure on existing services, given the scale and nature of the application proposal for a care home for three children and given that the existing property could presently be occupied by a family with three or more children, additional pressure on resources is not considered to be significant or warrant refusal of the application. Comments make reference to the Police being consulted and fire safety. The Police Liaison team were consulted as part of the planning application and no response has been received to date. A copy of a support letter for the proposed use has been received from SMS Fire Safety Consultants who visited the property to carry out a fire risk assessment.

No objections have been raised from local service providers in response to the application. The issues raised by the respondents in respect of depreciation of property value are not material in the consideration of the application.

Planning Obligations

None

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, alongside the responses from statutory consultees and numerous comments received from third parties, it is concluded on balance that the proposed development complies with the relevant LDP policies and would not adversely affect the character of the area, prejudice highway safety or significantly harm neighbours' amenities. The concern regarding the adverse impact on residential amenity and the fear for an increase in anti-social behaviour, arising from the perceived behaviour of the proposed residents is not sufficient to warrant refusal. In balancing the planning matters of the proposal the scheme is considered acceptable and is recommended for approval subject to the following conditions.

RECOMMENDATION – APPROVAL

Conditions

1 The development shall begin no later than five years from the date of this decision.

2 The development shall be carried out in accordance with the following approved plans and documents:-

- Site Location Plan scale 1:1250 received 20 July 2019;
- Block Plan scale 1:500 received 20 July 2019;
- Existing and Proposed Floor Plans received 13 November 2019;
- Asbri Planning Covering Letter reference. S19.173 dated 18 July 2019 received 20 July 2019;
- Freshstart Care Ltd – Supporting Statement received 1 November 2019;
- Asbri Planning response to third party comments reference. S19.173 dated 21 October 2019;
- Parking Layout – Inbound Movements drawing 1 received 23 December 2019;
- Parking Layout – Outbound Movements drawing 2 received 23 December 2019;

3 The premises shall be used for a children's residential care home for a maximum of three children and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

4 Noise associated with the proposed development shall not exceed a cumulative rating level of 35dB at the facade of the nearest noise sensitive receptor between the hours of 07:00 and 23:00. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.

5 Noise associated with the proposed development shall not exceed a cumulative rating level of 30dB at the facade of the nearest noise sensitive receptor between the hours of 23:00 and 07:00. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.

6 At the written request of the Local Planning Authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to a methodology agreed by the Local Planning Authority to determine whether noise arising from development exceeds the levels specified in condition 5 and/or 6 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Conditions 5 and/or 6 are exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in conditions 5 and/or 6. The development shall then be undertaken in accordance with the approved details.

7 The access 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.

8 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.

9 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.

10 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

Reasons

1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2 To confirm the extent of the permission and in the interest of visual amenity.

3 To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety and residential amenity.

4-6 To protect the amenity of neighbouring residents.

7-10 In the interest of Highway Safety.

Notes

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

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

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

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

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	**E/39463**

Application Type	Full Planning
Proposal & Location	PROPOSED DEMOLITION, AND ERECTION OF TWO STOREY REAR EXTENSION. REPLACEMENT OF GARAGE ROOF TO A TRADITIONAL SADDLE ROOF WITH TIMBER KINGPOST AT 29 CWMFFERWS ROAD, TYCROES, AMMANFORD, SA18 3TU

Applicant(s)	JAMIE CARD, 29 CWMFFERWS ROAD, TYCROES, AMMANFORD, SA18 3TU
Agent	DR DESIGN - LIAM WILLIAMS, 42, RHOSMAEN STREET, LLANDEILO, SA19 6HD
Case Officer	Zoe James
Ward	Saron
Date of validation	13/09/2019

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Karen Davies.

Site

The application site consists of the curtilage of the existing dwellinghouse no. 29 Cwmfferws Road, Tycroes. The detached two storey dwellinghouse is situated in the north western corner of the site fronting onto the main road with the existing single storey garage to the south. To the rear of the property lies a large rectangular shaped garden backing onto Fferws Hill. There is an existing single storey extension onto the rear elevation. The submitted plans show the dwelling with a cream render finish with two windows at ground floor and two in line above at first floor. However, from a site visit it appears changes to the front elevation of the dwelling including the creation of a new front door, installation of oak lintels and exposure of the existing stonework has already been undertaken.

Proposal

The planning application seeks full planning permission for demolition of part of the existing dwelling and erection of a two storey rear extension alongside replacement of the garage roof. The existing 3.5 metre two storey element of the dwelling alongside the 3 metre single storey extension is proposed to be demolished. In its place, albeit offset

slightly from the main dwelling, a 9 metre long two storey extension is proposed with a new pitched roof. The proposed extension contains a large open plan kitchen, dining room and sitting area with a separate utility room at ground floor, a new WC is also proposed at ground floor within the existing dwelling. An exposed flu is proposed on the south elevation of the extension to accommodate a free standing log burner. At first floor, the extension will provide 4 bedrooms and 2 bathrooms, the master bedroom will also have dedicated separate en-suite and dressing room. The existing two bedrooms within the main part of the original dwelling will remain with the creation of an en-suite to one of the bedrooms. The extension will result in the dwelling becoming a 6 bedroom property from 3 bedroom as existing.

The extension will comprise a pitched roof with the external finish of the walls to be cream painted smooth cast render, similar to the existing property. For the front elevation of the main element of the property the application refers to exposure of the existing stonework, instillation of new oak timbers above each window and creation of a new front door. As referred to above, this element of the scheme has already been undertaken.

On the rear elevation, two large bi-folding doors are proposed at ground floor and a large vertical window at first floor. On the side elevation to the north, a single new obscure glazed window is proposed at first floor level for one of the bedrooms and three velux windows for the bedroom and bathroom. On the southern side elevation, two new windows and a new door is proposed at ground floor with 3 windows proposed at first floor.

The application also seeks permission for alterations to the existing garage through the provision of a saddle roof with timber kingpost on the front elevation and relocation of single access door from the rear to northern side elevation. A bat box is proposed to be affixed to the northern side elevation of the existing part of the dwelling in line with the recommendations within the Bat Survey Report.

Planning Site History

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

TA//83133 DETACHED RESIDENTIAL DWELLING WITH FRONT PAVED PARKING AREA
Withdrawn prior to registration – January 2019

Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits. Reference is drawn to the following policies of the Plan:-

Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP')
SP1 Sustainable Places and Spaces
GP6 Extensions
EQ7 Development within the Caeau Mynydd Mawr SPG Area

Carmarthenshire Supplementary Planning Guidance

National Planning Policy and Guidance is provided in Planning Policy Wales (PPW) Edition 10, December 2018 and associated Technical Advice Notes (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways - No objections.

Planning Ecology – have issued a bat advisory and requested a condition is added to any permission granted.

Sustainable Drainage Approval Body (SAB) – advised of the new drainage legislation and application likely to be necessary for SAB approval.

Llandybie Community Council - No observations to make.

Local Member(s) - Councillor Karen Davies has requested that the application is brought to Planning Committee for determination and a site visit is undertaken.

Dwr Cymru/Welsh Water – request condition added to any permission granted.

All representations can be viewed in full on our website.

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and a site notice posted opposite the application site.

One representation was received, objecting and the matters raised are summarised as follows:

- Extension goes beyond the current building line and will leave me staring at a brick wall with no light into the only window in the property which received direct sunlight.
- It will also remove view from this window which was the main reason for purchasing property.
- Property will be very dark as a result of the extension.

All representations can be viewed in full on our website.

Appraisal

The principle of providing an extension at the property is acceptable, subject to it being of a suitable scale and design to conform with or enhance the existing dwelling as required by Policy GP6. The application seeks planning permission for demolition of the existing rear part of the dwelling and single storey rear extension and creation of a new two storey extension of 9 metres in length. When comparing the length of the proposed extension from the existing two storey element this is a further 5.4 metres two storey extension. The proposed extension also involves a pitched roof with a height of around 7 metres from finished floor level compared to the existing two storey element which has a height of around 5.1 metres. The size, scale and height of the proposed extension as presently submitted is considered to be out of character and not subordinate or compatible with the size of the existing dwelling, as required by criteria a) of Policy GDP relating to extensions.

Furthermore, the proposed extension by virtue of its size and positioning is considered to have a detrimental impact on the amenity of neighbouring occupiers by loss of light and overbearance. As highlighted in the comments from the neighbour to the site, the extension will block out sunlight into the neighbouring properties to the north and as a result adversely affect the amenity of adjacent land users. Therefore, the proposal as submitted also fails to comply with Policy GP1 criteria d) and GP6 criteria d).

Following registration of the application, the agent was notified that the proposal fails to comply with specific criteria of Policies GP1 and GP6 along with suggested alterations to the scheme. The Planning Officer was subsequently advised that the applicant would like the application reported to Planning Committee for consideration as submitted.

The garage alterations and proposed changes to the front appearance of the dwelling by virtue of creation of a new front door and exposure of the existing stonework is considered acceptable and enhances the appearance of the dwelling as specified by Policy GP1.

The other comment received relating to loss of a view is not a material planning consideration, albeit it is noted that the proposal will significantly impact on the outlook of the adjacent property.

Planning Obligations

None

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposal as submitted is considered not to be acceptable given it is not subordinate or compatible to the size and character of the existing residential dwelling and its impact on the amenity of adjacent residential dwelling. Whilst the proposal complies with a some policies within the Local Development Plan (LDP) and the principle of a two storey extension at the site is acceptable subject to being of a suitable size and scale, the application as submitted fails to comply with the relevant criteria within LDP Policies GP1 and GP6, by reason of its size and scale and resulting impact and overbearance on the adjacent property.

No objections or concerns have been raised by statutory consultees. Nevertheless, on balance the proposal is not subordinate to the existing dwelling and fails to comply with criteria within Policies GP1 and GP6 and therefore it is recommended that the application be refused for the following reasons:

RECOMMENDATION – REFUSAL

Reasons for Refusal

1 The proposal is contrary to Policy GP6 of the Carmarthenshire Local Development Plan which states:

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 the scale, design and massing of the proposed extension is not considered to be subordinate or compatible to the size and character of the existing dwelling, as required by criteria a). The proposed development by virtue of its scale, height and massing and proximity to the adjoining property of no. 72 Cwmfferws Road would result in an overly dominant form of development that would unacceptably harm the amenity of the adjacent residents.

2 The proposal is contrary to Policy GP6 of the Carmarthenshire Local Development Plan, which states:

Policy GP6 Extensions

Proposals for the extension of existing residential dwellings / use class C3 (which require planning permission) whether buildings, other structures or a particular land use must comply with the following:

a. The scale of the proposed extension is subordinate and compatible to the size, type and character of the existing development and does not result in over development of the site, nor lead to reduced and inadequate areas of parking, utility, vehicle turning, amenity or garden space;
b. The external appearance of the proposed extension in terms of design is subordinate, and the materials should complement that of the existing development;
c. There are no adverse effects on the natural environment, landscape/townscape or the setting and integrity of the historic environment;
d. The local environment and the amenities of neighbouring developments are not adversely affected by the proposed extension;
e. The use to be made of the proposed extension is compatible with the existing building, structure or land use.

In that the scale, height and massing of the proposed extension as submitted combined with its proximity to the adjoining property of no. 27 Cwmfferws Road would result in an incongruous and overly dominant form of development that would unacceptably harm the living conditions of the occupiers of this property by way of overbearance, loss aspect and loss of light.

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.

- Please see the relevant responses from Dwr Cymru/Welsh Water and the Council's Planning Ecologist and refer to the recommendations and advice contained therein.

Mae'r dudalen hon yn wag yn fwriadol

Application No	**W/39625**

Application Type	Full Planning
Proposal & Location	PROPOSED RESIDENTIAL DEVELOPMENT OF 6 NO. AFFORDABLE HOUSING UNITS. THE APPLICATION IS ALSO TO INCLUDE, INFRASTRUCTURE, PARTIAL HEDGEROW REMOVAL, LANDSCAPING IMPROVEMENTS, BIODIVERSITY MITIGATION & ENHANCEMENTS; AND ANY ANCILLARY WORKS AT LAND OFF, HIGH STREET, ABERGWILI, CARMARTHEN, SA31 2JA

Applicant(s)	JONATHAN HICKIN, TAI WALES & WEST HOUSING, CWRT Y LLAN, CHURCH LANE, NEWCASTLE EMLYN, SA38 9AB
Agent	RLH ARCHITECTURAL DESIGN SOLUTIONS LTD -ROB HOWELL, 16 MAIN STREET, FISHGUARD, SA65 9HJ
Case Officer	Helen Rice
Ward	Abergwili
Date of validation	14/10/2019

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and the application is recommended for approval. The application was originally reported to the Planning Committee of 30th January 2020 where Members deferred to a site visit.

This report comprises a consolidated version of the original report and addendum that was reported to committee on 30th January 2020.

Site

The site lies within the settlement of Abergwili and comprises a triangular shaped plot situated at the end of High Street, Abergwili and the A40 roundabout junction. The site lies opposite the entrance into the Grade II Listed Carmarthen Museum (Bishops Palace) and Former Lodge and the associated Registered Park and Garden located to the south off High Street, with existing residential properties located to the north and west. The site's south eastern boundary adjoins the highway verge of High Street leading up to the A40 roundabout located towards the eastern corner of the site. The site's physical boundaries are defined by the side boundaries of neighbouring properties (Ty'r Orsaf to the north and

Rudbaxton to the east) with the southern and eastern boundary dominated by highway verge vegetation and trees, the central portion of the site is currently laid to grass and is generally level.

Access to the site is currently provided via an agricultural style gate located opposite the pedestrian access into Carmarthen Museum. An existing bus stop is located immediately adjacent to the site and served by the 280 and 281 service bus route between Llandovery and Carmarthen.

The wider built up area of Abergwili is located to the west of the application site and is characterised by a mix of terraced, semi-detached and detached properties of varying architectural design and detailing. Properties to the north of the site are generally of more modern detached design whereas properties immediately to the west are more traditional albeit some have undergone extensive refurbishment in recent years. Abergwili CP Primary School is located some 250m by foot to the north west of the site, adjacent to which is a public playground. Despite large areas of the village being affected by flooding, the application site is not affected.

Proposal

The proposal seeks full planning permission for the erection of 6no. affordable housing units, comprising 4no. 4person 2 bedroom houses and 2no. 2person 1 bedroom flats, set back within the site behind the existing highway verge. Access to the site would be in a similar position to the existing field gate access albeit widened to 5m with a 1.8m pavement either site to provide the necessary width to serve the proposed development with the provision of a pavement to join up with the existing pavement on the road. A visibility splay of 2.4m by 70m is shown to be achievable.

The proposed internal layout includes a central shared access road which provides access to a row of 3 terraced properties to the west with their main elevations fronting the highway and the remaining 1no. 2 bed unit and flats to the east fronting onto the access road. The properties would be finished in white render with a brickwork plinth under a slate roof. Windows, fascias and barge boards are to be uPVC finished in grey with composite doors of differing colours.

Car parking provision for the terraced houses would be provided to the front of the proposed dwellings and adjacent the retained highway verge. Similarly, car parking provision for the remaining dwelling and flats would be provided off the central access road. Existing vegetation is proposed to be retained where possible and each unit is to be provided with a garden area. A pumping station for foul water drainage is proposed connecting to the existing mains sewer with a sustainable drainage system, including infiltration pond proposed to deal with surface water drainage.

The application was supported by a suite of plans and supporting documentation.

A Phase 1 Ecological Appraisal Survey Report concluded that the majority of the site has low ecological value whereas the boundary hedgerows have high ecological value and should be retained where possible and thus protected during the construction phase and enhanced. The report acknowledges the need to remove part of the hedgerow to accommodate the new access and advises to undertake such works outside of the nesting season. The report concludes that the impact of the development can be adequately mitigated through appropriate timing of works and provision of enhancement measures to

include bat and bird boxes, bat friendly lighting, planting of native hedgerow species along the site's boundaries and creation of reptile habitat within hedgerow borders.

A Tree and Hedgerow Survey accompanying the application has surveyed the sites hedgerows and trees including boundary trees. The report concludes that the site's hedgerows are classified as important and should be retained and protected by a 2m construction buffer zone, albeit there is acknowledgement that a small portion of hedgerow will be lost to accommodate the proposed access. In terms of trees, a large Sycamore tree within the neighbouring property at Ty'r Orsaf was originally proposed to be felled due to the proximity of the dwellings to its roots. However, changes to the layout have been submitted to enable this tree to be retained.

A Historic Environment Assessment of the site was undertaken to establish the archaeological potential of the site and its potential impact upon nearby cultural assets. The report concludes that the Listed Buildings at Carmarthen Museum/Bishops Palace Park would be largely obscured from the development by reason of existing vegetation, surrounding built form and the boundary wall of the park with High Street and therefore impacts upon the setting of cultural assets would be classed as Minor/Negligible. However, the report identifies that the site has the potential to disturb sites of a former Smithy and possibly the old Roman Road that is believed to run along the route of High Street, with below ground remains of these sites unknown.

Planning Site History

The site has been the subject of previous applications for development as follows:

W/01131 SITING OF RESIDENTIAL DWELLINGS, OUTLINE PLANNING PERMISSION REFUSED ON 24/10/1997 ON GROUNDS THAT AT THAT TIME THE CARMARTHEN EASTERN BYPASS A40 ROUNDABOUT WAS IN THE PROCESS OF COMPLETION AND THE DEVELOPMENT WAS CLASSED AS PREMATURE PENDING ITS COMPLETION AND CONCERNS WERE RAISED IN TERMS OF INADEQUATE VISIBILITY FOR THE ACCESS.

D4/18255 SITING OF A FOUR BEDROOMED DWELLING HOUSE TO SERVE AS VICARAGE, FULL PLANNING PERMISSION REFUSED ON 12/09/1989 ON GROUNDS THAT THAT AT THAT TIME THE SITE WAS LIKELY TO BE AFFECTED BY THE PROPOSED CARMARTHEN EASTERN BY PASS AND THE DEVELOPMENT WAS CLASSED AS PREMATURE PENDING ITS COMPLETION AND CONCERNS WERE RAISED IN TERMS OF INADEQUATE VISIBILITY FOR THE ACCESS.

Planning Policy

Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP')
SP1 Sustainable Places and Spaces
SP3 Sustainable Distribution- Settlement Framework
SP5 Housing
SP6 Affordable Housing
SP13 Protection and Enhancement of the Built and Historic Environment
SP14 Protection and Enhancement of the Natural Environment
GP1 Sustainability and High Quality Design
GP2 Development Limits
GP4 Infrastructure and New Development

H1 Housing Allocations
H2 Housing within Development Limits
AH1 Affordable Housing
TR2 Location of Development- Transport Considerations
TR3 Highways in Developments- Design Considerations
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
EQ4 Biodiversity
EP3 Sustainable Drainage

Carmarthenshire Supplementary Planning Guidance

National Planning Policy and Guidance is provided in Planning Policy Wales (PPW) Edition 10, December 2018 and associated Technical Advice Notes (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – has no objections to the application subject to the imposition of conditions.

Welsh Government Transport - No objections to the development but advice given to clarify that any noise mitigation measures deemed necessary as a result of perceived noise nuisance from the trunk road is the responsibility of the development and that there should be no interference with the trunk road highway soft estate.

Head of Homes and Safer Communities – has confirmed that the ward of Abergwili is an area of high housing need which would be best met by providing a mix of 1, 2, 3 and 4 bedroom homes complying with DQR standards for social rent.

Abergwili Community Council – have confirmed their unanimous objection to the development on the following grounds:

- Abergwili is overpopulated
- Additional access onto an already congested highway opposite a bus stop
- Spill over parking from Glangwili Hospital is creating cars parking on High Street both sides creating one way traffic
- No increase in extra traffic should be encouraged given the sites proximity to the school
- Mains sewerage is already overpopulated and development would increase demand on the fragile mains sewerage system
- The site is within the floodplain and is in an area of high risk for flooding and Abergwili has recently been affected by flooding
- The Community Council believed that agreement had been reached some years ago with the County Council that no future planning would be approved due to the locality of the village, high risk of flooding, lack of capacity in sewerage system and traffic conditions.

Local Member(s) - Councillor Dorian Williams has not commented to date.

Natural Resources Wales – no objections.

Dwr Cymru/Welsh Water – no objections subject to the imposition of conditions specifying that no dwelling is occupied until the proposed drainage system for the site has been completed and that no surface water/land drainage shall be allowed to connect directly or indirectly into the public sewerage system.

Dyfed Archaeological Trust – No objections to the development as a Written Scheme of Investigation prepared by Archaeology Wales complies with current planning requirements.

Community Safety Liaison Officer – the development will achieve Secured by Design Gold as required by Welsh Government and the development will be overseen by the officer to ensure that this is achieved.

All representations can be viewed in full on our website.

Summary of Public Representations

The application was the subject of notification by way of site notices. 7 no. representations from nearby households were received objecting to the development on the following grounds:

- The development would increase traffic in Abergwili which is already congested by traffic.
- The sites proximity to the Museum junction and A40 roundabout would create a highway hazard.
- The extra traffic would increase danger for pedestrians/school children crossing the road whilst using the nearby bus stops.
- The development on its own and together with the cycle path and refurbishment of the museum would increase parking demand making it difficult to manoeuvre through the village and block emergency vehicles.
- Overspill from Glangwili hospital is impacting upon parking in the village creating a one way route through High Street creating congestion and stress for residents
- Over-development of the site.
- Design of the development is not in keeping with the rest of the village.
- There is already a diverse mix of residential properties in Abergwili offering opportunities for renovation or conversion into affordable housing units of the size proposed.
- Lack of drainage capacity in the village.
- Drainage connection requires access over private land.
- Development would exacerbate flooding due to water drainage going into the mains.
- Land fronting the road is owned by the Trunk Road Agency, has the Agency agreed to transfer the land to the developer.
- There is no need for new affordable housing in Abergwili as there are a number of ex-Local Authority properties and terraced housing which would be suitable for affordable housing.

All representations can be viewed in full on our website.

Appraisal

The key issues arising from the proposed development are deemed to be whether the proposal is acceptable in principle, its impact upon the character and appearance of the area including the setting of the nearby listed buildings, its impact upon the living conditions of neighbouring properties, highway impacts, landscape and biodiversity impacts, cultural heritage impacts, drainage and flooding impacts.

Principle of development

The proposed built up area of the development is entirely within the defined development limit of Abergwili whereas the access is located outside as the defined development limit excludes the highway verge. Policy GP2 of the LDP confirms that proposals within defined development limits will be permitted subject to other LDP policies, national policies and any other material planning considerations. Whilst the access to the site is just outside the development limits, without this access the site is landlocked as such development of the site can be considered acceptable in principle subject to the caveats of Policy GP2. Nevertheless, given that the proposal is entirely for affordable housing purpose to be managed by Tai Wales and West Housing, it could even be classed as an exception site under Policy AH2 of the LDP which supports schemes for 100% affordable housing in locations immediately adjacent to development limits. Abergwili is in an area of high housing need and this proposal would go towards meeting that need by providing 6 social rented housing. The application is the subject of grant funding from Welsh Government.

Impact upon character and appearance of the area

Policy GP1 of the LDP requires developments to conform and enhance the character and appearance of the site and wider area through careful design, scale, siting, detailing, landscaping and use of materials. The proposed layout is considered to have taken these requirements into the account whilst balancing with the site specific and development constraints. The existing highway verge and vegetation is largely to be retained and therefore creating a softening of the site's development impact upon the wider area and setting of the nearby listed buildings. Plots 1 – 3, whilst set back in the development, are orientated with their main elevations fronting onto the road and thus maintain the active street frontage character of Abergwili where the front elevations of dwellings face onto High Street. Similarly, plots 4 - 5(a)&(b) have also been designed so that their main front elevations, albeit staggered, front onto High Street, but also with their side elevations fronting onto the internal road having an active frontage of windows and doors. The proposed materials reflect those used on properties in close proximity and within the wider settlement with the terraced and semi-detached built form also reflective of existing built form in the settlement.

A number of objectors to the scheme have noted that the proposal represents an overdevelopment of the site. The site area in total extends to 0.16ha and thus the development in terms of individual buildings (i.e. 5) equates to a density 31 buildings per hectare or 37 units per hectare when considering the total number of units (i.e. 6). Such densities are comparable to general development within defined settlements and is lower than the density of existing terraced development within Abergwili nearby the site. The development has been designed so as to ensure existing vegetation is retained where possible and therefore the number of dwellings proposed is reactive to the site constraints with the end layout providing a sense of space through the set back of the dwellings,

intervening landscaping and amenity space around buildings and to the rear. As such, it is not considered that the proposal represents an overdevelopment of the site.

Impact on living conditions of neighbouring properties

Policy GP1 of the LDP also specifies that proposals are not to have a significant impact on the amenity of neighbouring residents and users. Evidently the proposal has the potential to affect amenity on the basis that the site currently is a grassed paddock whereas the proposal will introduce development works in the short term and residents in the long term. However, such impacts can be adequately reduced through appropriate design of the site. The adjoining properties of Ty'r Orsaf to the north and Rudbaxton to the west are those which are likely to experience the greatest impact given their proximity. Whilst Plots 1 – 3 would be set back virtually in line with the rear elevation of Rudbaxton, it is considered that the combination of existing outbuildings in the rear garden of this property along the site's boundary with the development, the set back of 1.5m from the boundary and that there would be no openings on the side elevation it is not considered that the proposal would have such an impact on the amenity of the residents of Rudbaxton to warrant a refusal of the application. In terms of Ty'r Orsaf, the rear elevations of Plots 4-5 facing the garden area of Ty'r Orsaf would be set back 2m from the boundary with no window openings and similarly the rear elevations of Plots 1 – 3 would be set back 10m at their nearest to the property. It is considered that these distances in combination with the elevational detailing limits the impact upon amenity to acceptable levels. Boundary 1.8m fencing would also be provided along the sites entire northern and western boundary. On balance therefore, it is considered by reason of the proposed design, the development would not have an unacceptable impact upon the living conditions of nearby residents.

Highway Impacts

Policy GP1(h) requires developments to be served by an appropriate access and that development would not give rise to any parking or highway safety concerns both on the site or within the locality. This is further expanded upon by Policy TR3 which specifies the need for development to incorporate highway design into proposals.

In terms of access, the proposals involve the creation of new access in the general location of the existing field gate albeit widened to provide a 5m carriageway with a 1.8m pavement either side. The proposals also confirm that adequate visibility splays of 2.4m by 70m can be achieved in both directions. The internal access road is intended to be a shared access drive that would be maintained by Tai Wales and West Housing. Whilst concerns raised regarding the site's proximity to other accesses and the bus stop are acknowledged, given the provision of sufficient visibility splays to required standards, it is not considered that this concern is sustainable. The access proposals have been reviewed by the Council's Highways Officer who has confirmed that the access proposals are acceptable to serve the development. Full details of the proposed highways conditions are to follow.

With regards car parking, the proposal complies with the Council's Parking Standards in that each 2 bedroom property is to be provided with two parking spaces with the single bed flats being provided with one parking space each, an additional 1 no. visitor space has also been incorporated into the layout design. This level of car parking is considered sufficient to meet the needs of the development and in addition, the site is located within close proximity to public transport provision via the nearby bus stops. The comments raised by the community council and third parties in relation to the development generating

additional demand for on-street parking within the village are acknowledged however given that the proposal provides sufficient off-street parking provision to serve the development it is not considered that the proposal would exacerbate the existing parking issues.

Similarly, the community council and third parties have raised concerns regarding the traffic generation from the development exacerbating current traffic issues within the village which are exacerbated by the on-street parking that currently takes place, partly due to a number of existing properties within the village being dependent upon on-street parking provision. Furthermore, the site is located at the edge of the village and within easy walking distance of the nearby school, playground, public house and bus stops and thus the vehicular trips generally associated with such services and facilities would not be generated by this development. The Council's Highways Officer has reviewed the application and has raised no objection in terms of traffic generation and similarly the Welsh Government Transport department equally raise no objections. Whilst the concerns of residents and the local council are acknowledged, it is not considered that an additional 6no affordable 2 and 1 bed units in this location would result in a significant increase in traffic generation that would warrant a refusal of the application on highway safety grounds. The application is therefore considered to comply with policies GP1 and TR3 of the LDP.

Biodiversity and Landscape Impacts

The application is supported by ecological and tree reports as outlined above and a landscaping strategy is included on the submitted plans indicating the intended areas for landscaping, including the retention and protection/enhancement of existing vegetation. Policy GP1 of the LDP requires developments to incorporate existing landscape elements and promotes the use of good quality hard and soft landscaping whilst providing opportunities to enhance biodiversity. The development is largely designed around the landscaping constraints of the site with the existing verge area being maintained along with vegetation along the boundary. A Sycamore tree within the neighbouring property was initially proposed to be felled subject to such permission with the neighbour. However, following consultation with the Authority's Tree and Landscaping Officers, amendments to the layout has enabled this tree to be maintained. The submitted landscaping scheme is considered satisfactory by the Council's Landscape Officer subject to the imposition of conditions to ensure compliance and details of protection areas during construction and subsequent management and maintenance details. As such, it is considered that the proposals put forward have incorporated existing landscaping features as far as possible and include recommendations for further protection and enhancement of landscaping and ecological features.

Drainage and Flooding Impacts

The village of Abergwili has historically been affected by flooding and a number of objectors have raised this as a concern siting that the site is in the floodzone. However, consultation with NRW's Development Advice Maps which includes up-dated floodzones confirms that the site is not affected by flooding and therefore the requirements of Technical Advice Note 15: Development and Flood Risk are not applicable. Nevertheless, it is a standard requirement that new developments utilise sustainable drainage methods to ensure surface water run-off does not exacerbate flooding. In this instance, the proposal includes sustainable drainage methods through the provision of an infiltration pond to serve highway run-off along with permeable paving within the access and parking area. The details of these proposals have been the subject of consultation with the Authority's

Drainage Section who has confirmed that the drainage details would have to be subject to approval by the Sustainable Drainage Approval Bodies (SAB). The Drainage Section did not indicate any objections to the strategy put forward in the proposals.

In terms of foul drainage, there are two mains connection points in proximity to the development site. The nearest of which is in the rear garden area of Rudbaxton with the other in the highway at Ismyrddin. To enable connection to the mains sewer the proposal is to be served by a pumping station situated at the end of the access road into the site. The two options in terms of connection to the mains sewer have been put forward. It is noted that objections relating to connections over private land have been received and thus it is likely that the option of connection via the public highway is to be implemented. However, such matters are for discussions between relevant parties and subject to agreement with DCWW under the Water Industry Act 1991. DCWW has advised that they have no objection to the proposal subject to the drainage proposals put forward being implemented (i.e. either Option1 or Option 2). No concerns have been raised by DCWW in terms of capacity as suggested by objectors to the scheme. Therefore, having regard to the above and the advice from DCWW and the Authority's Drainage Section, the development is not considered to give rise to drainage concerns.

Cultural Heritage Impacts

The site is within proximity to the Grade II listed Bishops Palace and Lodge (Carmarthen Museum) which is also a Registered Park and Garden. Furthermore, as outlined in the Historic Environment Assessment submitted with the application, according to historic mapping a smithy was once situated on the application site and the remains of a Roman Road is understood to follow the alignment of High Street.

In terms of the impact upon the listed buildings and registered park and garden, the Senior Built Heritage Officer has reviewed the proposal and has concluded that the development would have low to negligible impact upon these assets by reason of the proximity of the site, retention of the existing highway verge vegetation. It is therefore considered that the development would not have an unacceptable impact upon the character and appearance of the area nor the setting of the nearby listed buildings and registered park and garden. In terms of archaeological remains, Dyfed Archaeology has advised that a Written Scheme of Investigation would be required to provide details over how the developer intends to mitigate against any adverse effects on the historic environment. It is understood that such a document has been supplied direct to Dyfed Archaeology and provided that the development is carried out in accordance with that document they would not raise any objections.

Planning Obligations

Whilst the proposed development of 6 units would trigger Policy AH1 of the LDP to ensure that a contribution of the site is earmarked for affordable housing purposes to be secured by way of a legal agreement, as the development is for 100% affordable housing by a registered social landlord the site more than meets the LDP requirement. Furthermore, as the registered social landlord is governed by Welsh Government in its delivery of affordable housing and is dependent on grant money to deliver the scheme for affordable housing only, it is not necessary to bind the delivery of the units as affordable units by way of a legal agreement. Nevertheless to ensure compliance, a condition is imposed to secure the submission of a scheme that would detail the provision and secure its delivery. Furthermore, when balancing the significant contribution towards affordable housing that

the development brings to the area – 70% more than what is normally sought in this area – no further contributions are being sought on this occasion.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that given the site's location within the defined development limits of Abergwili and provision of a modestly scaled 100% affordable unit scheme that the development is acceptable in principle. The development has been designed to reflect the character of other properties within the settlement whilst having regard to the site specific development constraints to create a development that would be set back and viewed as a logical extension to the existing settlement with the retention of the highway verge vegetation providing a softened transition between the built up area of the village the countryside area beyond. The proposal would not have an unacceptable impact upon the setting of nearby cultural heritage assets and adequate provision is in place to safeguard against any impacts upon archaeological remains. The proposal would not lead to an unacceptable impact upon the living conditions of nearby properties by way of loss of privacy or overlooking.

The principal objections raised by third parties and the community council relate to the highway impacts of the development, that, in their opinion, would exacerbate existing parking and traffic issues through the village along High Street. Whilst these concerns are acknowledged, given that a suitable access can be provided that meets with required standards and sufficient off-street parking to serve the development is provided coupled with the modest scale of the proposal, it is not considered that this development would result in a significant increase in traffic generation to warrant a refusal on such grounds. This opinion is shared by the Highway Authority and Welsh Government Transport Department who have offered no objections to the scheme. The applicant has demonstrated that there are suitable foul and surface water drainage options available that both DCWW and the Council's Land Drainage section have raised no concerns over. Matters concerning use of private land for connection is a matter for the parties involved but nevertheless, connection via the public highway is also understood to be available as an option in any event.

It is therefore considered that the application complies with policies SP1, SP3, SP5, SP6, SP13, SP14, GP1, GP2, GP4, H1, H2, AH1, TR2, TR3, EQ1, EQ4 and EP3 of the Carmarthenshire County Local Development Plan and is recommended for approval subject the following conditions.

RECOMMENDATION – APPROVAL

Conditions

1 The works hereby granted consent 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 and 1:200 scale Location and Topographic Site Survey plan [R460 S-01 D] received 27 January 2020
- 1:200 scale Proposed Site Plan [R460 p-01 H] received 27 January 2020
- 1:100 and 1:50 scale Plots 1,2 & 3 Floor Plans, Elevations and Section [R460 P-02 D] received 27 September 2019
- 1:100 and 1:50 scale Plots 4 & 5 Elevations, Section and Floor Plans [R460 P-03 E] received 11 December 2019
- 1:200 scale Existing and Proposed Landscape Plan [R40 LP-01 G] received 27 January 2020
- Drainage Options Plan [C-SK01 Rev D] received 28 January 2020
- Historic Environment Assessment by Archaeology Wales received 14 October 2019
- Tree and Hedgerow Survey Report by RDS Landscape Solutions 27 September 2019
- Ecological Appraisal Survey Report by RDS Landscape Solutions dated 23 September 2019 received 27 September 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: -

i) 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.
ii) 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.

4 No development shall take place until a Drainage and Service Infrastructure (DSI) Plan has been submitted to and agreed in writing by the local planning authority. The DSI Plan shall indicate the: position, depth and height of all existing and proposed underground, overhead and associated surface DSI elements in relation to the Landscape Design Scheme as set out on the 1:200 scale Existing and Proposed Landscape Plan [R40 LP-01 E] received 11 December 2019.The DSI Plan shall demonstrate that potential conflicts have been minimised through DSI

design and layout. In locations where, potential conflicts with the approved Landscape Design Scheme are identified, a DSI Method Statement shall accompany the DSI Plan. The Method Statement shall specifically provide details of the construction and installation operations and specific design solutions for all DSI elements located:

- within the root protection areas of all trees, large shrubs and hedges identified for retention;
- within proposed landscape areas.

The development shall thereafter be carried out in accordance with the approved DSI Plan and Method Statement.

5 No development shall take place until Landscape Maintenance and Management (LMM) details have been submitted to and approved in writing by the local planning authority to include:

i) LMM Responsibility Plan which provides clear definition of those areas subject to transfer to future private ownership and management responsibility and/or proposed for adoption by the local authority.
ii) LMM Scheme for all areas within the application boundary not included in the above. The LMM Scheme shall include: -
- Plans, specifications and schedules for establishment and long-term maintenance and management, of all identified landscape areas, including monitoring and remedial operations;
- Details of the management agent (body or organisation) responsible for implementation of the LMM scheme; and the legal and funding mechanism(s) by which delivery of the LMM scheme will be secured.

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

6 The approved Landscape Design Scheme (LDS), as set out on the 1:200 scale Existing and Proposed Landscape Plan [R40 LP-01 E] received 11 December 2019 shall be fully implemented prior to the occupation of any of the residential units hereby approved. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS which, within a period of 5 years after the first occupation of any of the residential dwellings hereby approved 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.

7 Prior to the occupation of any of the residential units hereby approved, the drainage system for the site shall be completed in accordance with the details shown on Drainage Options Plan [C-SK01 Rev B] received 27 September 2019. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

8 The development hereby approved shall be carried out strictly in accordance with the Written Scheme of Investigation as contained within the Geophysical Survey

Report prepared by Dyfed Archaeology dated November 2019 received 10 January 2020. On behalf of the Local Planning Authority, Dyfed Archaeological Trust will monitor all aspects of the work which shall not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.

9 The development hereby approved shall be carried out in accordance with the recommendation contained in Section 6 of the Ecological Appraisal Survey Report by RDS Landscape Solutions dated 23 September 2019 and received 27 September 2019.

10 No development shall take place until a scheme for the provision of the affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it.

The scheme shall include:

i) the numbers, type, tenure and location on the site of the affordable housing units which shall consist of not less than 100% of housing units;
ii) the timing of the construction of the affordable housing;
iii) the arrangements for the management of the affordable housing;
iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

11 Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.0 metre carriageway, 1.8 metre footways, and 6.0 metre kerbed radii at the junction with the C2030 road.

12 The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 15 metres from the edge of the carriageway.

13 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 59 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access 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.

14 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

15 Prior to the occupation of any of the dwellings herewith approved, the required access roads and footways from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.

16 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.

17 Prior to any use of the access herewith approved the traffic sign fronting the site shall be relocated to the satisfaction of the Local Highway Authority.

Reasons

1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2 In the interest of clarity as to the extent of the permission.

3-5 To ensure that the development enhances the character and appearance of the site and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity: thus delivering the objectives of LDP policies: - SP1 d) and i); GP1 a), f) and i); EQ5; and where appropriate EQ6.

6 To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of LDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.

7 To present 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.

8 To protect historic environment interests whilst enabling development.

9 To safeguard and enhance biodiversity.

10 In the interest of clarity as to the nature of the permission and to ensure delivery of 100% affordable housing.

11-17 In the interest of highway safety.

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

Ardal De/ 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

AR11 CHWEFROR 2020
ON 11 FEBRUARY 2020

I'W BENDERFYNU/
FOR DECISION

Cyngor Sir Gâr
Carmarthenshire
County Council

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:	**11 FEBRUARY 2020**
REPORT OF:	**HEAD OF PLANNING**

I N D E X - A R E A S O U T H

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE
S/39984	RETROSPECTIVE APPLICATION FOR THE RETENTION OF DWELLINGS ON PLOTS 4 AND 5 PREVIOUSLY APPROVED UNDER REFERENCE S/33081 AT PLOT 4 & 5, CERDDI GLASFRYN GARDENS, LLANELLI, SA15 3LL	**45**

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	**S/39984**

Application Type	Full Planning
Proposal & Location	RETROSPECTIVE APPLICATION FOR THE RETENTION OF DWELLINGS ON PLOTS 4 AND 5 PREVIOUSLY APPROVED UNDER REFERENCE S/33081 AT PLOT 4 & 5, CERDDI GLASFRYN GARDENS, LLANELLI, SA15 3LL

Applicant(s)	PARKER BROTHER (CONTRACTORS) LTD - STUART PARKER, C/O AGENT, ,
Agent	ASBRI PLANNING - MR TOMAS HOPKINS, SUITE D, 1ST FLOOR, 220 HIGH STREET, SWANSEA, SA1 1NW
Case Officer	Robert Davies
Ward	Lliedi
Date of validation	18/12/2019

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties

Site

The application site consists of Plots 4 and 5 on the Glasfryn Gardens cul de sac development which is located to the immediate south of Glasfryn Terrace in Llanelli. The two plots to the south eastern most corner of the development are at a lower level than the rest of the development and are at an advanced stage of construction. They represent the rounding off of this housing development that has been ongoing on a plot by plot basis since the early part of the millennium.

Proposal

The application seeks full planning permission to regularise the development undertaken thus far and proposed on Plots 4 and 5, which varies from that granted full planning permission on the 18th January, 2016 under planning reference S/33081.

The revisions when viewed against the plans approved under S/33081 are as follows:-

Plot 4 Changes

East Elevation:

- Minor window changes at second-floor level;
- Removal of chimney stack

West Elevation:

- Addition of window at first-floor level;
- Removal of window at second-floor level

North Elevation:

- Minor alteration to front door;
- Addition of roof-light window

South Elevation:

- Removal of glass door and replacement with window

Other:

- Increase in the curtilage of the plot to the south-east

Plot 5 Changes

East Elevation:

- Addition of window at ground-floor level;
- Removal of chimney stack

West Elevation

- Minor window changes at second floor level

North Elevation

- Minor changes to the size (reduced in size) and the position of roof-lights

South Elevation

- Design of conservatory has been modified to reduce the amount of brick and increase glass;
- Additional of small roof light

Other

- Increase in the curtilage of the plot to the south;
- Addition of outbuilding/shed in the rear garden area

In order to facilitate the extended residential curtilage for each plot, due to the fact that the site slopes gently from north to south the rear boundary a retaining wall has been erected and constructed on the southern boundary of each plot. Included in this submission are 'Retaining Wall Engineering Details' and associated structural calculations to evidence the structural integrity of the works undertaken.

Planning Site History

S/33081 PROPOSED 2 NO DETACHED TWO STOREY DWELLINGS WITH DETACHED GARAGE (PLOT 4 ONLY)
Full Granted 18/01/2016

S/14976 TO RETAIN DEVELOPMENT OF 10 NO. DWELLING HOUSES UNDERTAKEN AS PREVIOUSLY GRANTED PLANNING PERMISSION REF. S/01768 AND WITH AN AMENDED SCHEME FOR PLOT NO. 2 (PREVIOUSLY REFERRED NO.9)
Full Granted 10/01/2007

S/11417 TO RETAIN DEVELOPMENT OF 10 NO. DWELLING HOUSES UNDERTAKEN AS PREVIOUSLY GRANTED PLANNING PERMISSION REFERENCE NO. S/01768 AND WITH AN AMENDED SCHEME FOR PLOTS 8, 9, 10
Withdraw - 24/11/2005

S/1768 RESIDENTIAL - 10 DWELLING HOUSES
Approved – 26/05/1999

S/1239 EIGHT EXECUTIVE HOUSES AND ROADWAY ACCESS TO MEET ADOPTABLE REQUIREMENTS
Approved - 18/05/1998

D5/16842 DEMOLITION OF EXISTING NURSERY BUILDINGS AND CARRYING OUT OF RESIDENTIAL DEVELOPMENT
Withdrawn

D5/9277 GREENHOUSE
Approved – 12/07/1986

D5/6283 STORAGE BUILDING
Approved – 13/051982

Planning Policy

Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces
SP3 Sustainable Distribution – Settlement Framework
SP9 Transportation
SP13 Protection and Enhancement of the Built and Historic Environment
SP14 Protection and Enhancement of the Natural Environment
SP17 Infrastructure
GP1 Sustainability and High Quality Design
GP2 Development Limits
GP4 Infrastructure and New Development
H2 Housing within Development Limits
AH1 Affordable Housing
TR2 Location of Development – Transport Considerations
TR3 Highways in Developments – Design Considerations
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
EQ4 Biodiversity
EP1 Water Quality and Resources
EP2 Pollution
EP3 Sustainable Drainage

Carmarthenshire Supplementary Planning Guidance
National Planning Policy and Guidance is provided in Planning Policy Wales (PPW) Edition 10, December 2018 and associated Technical Advice Notes (TANs) published by Welsh Government.

Summary of Consultation Responses

Llanelli Town Council – No response received to date.

Local Members – County Councillors R James and S Najmi have not responded to date.

Dwr Cymru/Welsh Water – No objection subject to conditions.

All representations can be viewed in full on our website.

Summary of Public Representations

14 neighbouring properties consulted on the application. To date, two letters of representation have been received raising the following concerns and objections:-

- Close proximity of dwelling to no.4 Glasfryn Terrace
- Overlooking of no.4 Glasfryn Terrace from side attic windows of Plot 4.
- Overlooking of no. 3 Glasfryn Gardens from additional velux rooflight in front roof slope
- The scale of dwelling built on Plot 4 dominates the area and is incongruous.
- Devaluation of property

All representations can be viewed in full on our website.

Appraisal

As aforementioned, two letters of representation have been received raising concerns and objections towards the application. The material reasons for consideration raised will now be addressed individually as part of this appraisal. Members will however be aware that devaluation of property is not a material planning consideration.

In terms of the concerns raised over the scale of development and proximity of the dwellings to no. 4 Glasfryn Terrace, it is worth noting that the scale and positioning of the two dwellings on Plots 4 and 5 has not changed from that previously approved. The two plots are sited at a lower level than other dwellings on the Glasfryn Gardens development and therefore are not considered to dominate the area in visual terms. There is a separation distance in excess of 23m from the side elevation of Plot 4 and the rear elevation of no.4 Glasfryn Terrace, whilst both properties are separated by a new 2m high brick boundary wall. This separation distance coupled with the high quality boundary treatment is considered to limit the impact upon this property.

The previously approved scheme had two attic windows in the side elevation facing no.4 Glasfryn Gardens which were conditioned to be obscure glazed. There has only been some minor changes to these windows, which will again be conditioned to be obscure glazed. One additional velux roof light has been included in the front elevation of Plot 4 facing towards no.3 Glasfryn Gardens, however due to the nature of velux rooflights and their positioning in the roof slope it is not considered that this results in any adverse impact in terms of overlooking.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and benefits from extant planning permission for residential development. Therefore there is no in principle objection to residential development on the site, whilst the changes undertaken are relatively minor in nature and are considered acceptable subject to conditions. The extension to the domestic curtilage of each Plot is considered acceptable and retains sufficient rear garden spaces for other surrounding dwellings.

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

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 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 18 December, 2019.

2 The development hereby permitted shall be retained and completed strictly in accordance with the following schedule of plans:-

- Block and location plan (592 01) 1:500; 1:2500 @ A3 received 16th December, 2019
- Site plan (592 02) 1:200 @ A3 received 16th December, 2019
- Site section plan (592 03) 1:200 @ A3 received 16th December, 2019
- Plot 4 Floor plans, elevations and section (A102) 1:100 @ A1 received 16th December, 2019
- Plot 5 Floor plans, elevations and section (A100) 1:100 @ A1 received 16th December, 2019
- Double garage Plot 4 floor plan and elevations (A100) 1:100 @ A1 received 16th December, 2019
- Shed Plot 5 floor plan and elevations (A100) 1:50 @ A4 received 16th December, 2019
- Retaining wall details plan (BX1) 1:20; 1:40 @ A3 received 16th December, 2019

3 The first floor and second floor windows in the side elevations of Plots 4 and 5 shall be glazed in obscure glass and thereafter retained as such in perpetuity.

4 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.

5 The garage hereby approved on Plot 4 and outbuilding on Plot 5 shall be used for domestic purposes in perpetuity, and not for trade or business use.

Reasons

1 To comply with Section 73A of the Town and Country Planning Act (as amended)

2 In the interest of visual amenity

3 In the interest of preserving residential amenity.

4 In the interest of highway safety

5 To prevent any separate use on the site, and to ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

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 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 SP13 of the LDP in that the proposed development respects, and will not adversely affect the built and historic environment or its setting.
- 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 application site is within defined settlement limits
- 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 it will deliver new housing within development limits.
- It is considered that the proposal complies with Policy AH1 of the LDP in that a commuted sum contribution towards affordable housing is not required in this instance as the application site benefits from having extant planning permission for two dwellings and the current proposal only relates to some minor changes
- 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 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.

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

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

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

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

PWYLLGOR CYNLLUNIO

Dydd Mawrth, 14 Ionawr 2020

YN BRESENNOL: Y Cynghorydd A. Lenny (Cadeirydd)

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

Hefyd yn bresennol:
Y Cynghorydd D. Cundy a S. Davies ynghylch cais cynllunio S/39358;
Mr G. Morgan, Cynlluniwr Trafnidiaeth gyda Fframwaith Atkins

Roedd y Swyddogion canlynol yn bresennol yn y cyfarfod:
J. Edwards, Rheolwr Datblygu & Treftadaeth Adeiledig
S. Murphy, Uwch-gyfreithiwr
G. Noakes, Uwch Swyddog Rheoli Datblygu (y Dwyrain);
J. Thomas, Uwch Swyddog Rheoli Datblygu (y De)
Z.A. Evans, Uwch-dechnegydd (Cyswllt Cynllunio)
E. Jones, Swyddog Rheoli Datblygu
M.S. Davies, Swyddog Gwasanaethau Democrataidd

Siambr, Neuadd Y Sir, Caerfyrddin: 11.30 am - 3.00 pm

1. YMDDIHEURIADAU AM ABSENOLDEB
Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr A.C. Jones a G.B. Thomas.

2. DATGAN BUDDIANNAU PERSONAL.

Enw	Rhif y Cofnod	Y Math o Fuddiant
Y Cynghorydd Dot Jones	5 – Cais S/39358 newid defnydd preswylfa o Ddosbarth C3 i Gartref preswyl plant Dosbarth C2 yn 2 Erw Las, Llwynhendy, Llanelli, SA14 9SF	Roedd y gŵr yn gysylltiedig â'r ymgeisydd o'r blaen;
Y Cynghorydd Dot Jones	6 - Cais W/39441 bwriad i agor Canolfan Iechyd a Llesiant Cross Hands yn Uned 1, Parc Maes Yr Eithin, Cross Hands, Llanelli, SA14 6SY;	Wedi siarad am y mater hwn mewn cyfarfodydd cymuned lleol.
John Thomas (Uwch-swyddog Rheoli Datblygu)	6 - Cais W/39822 estyniad i ddarparu storfa o ran peiriannau, gwellt a gwasarn yn Nantygelli, Cynwyl Elfed, Caerfyrddin, SA33 6UT	Ymgeisydd yn berthynas

3. S/38285 - ADEILADU DATBLYGIAD PRESWYL SY'N CYNNWYS HYD AT 210 O UNEDAU YNGHYD Â GWAITH TIRWEDDU A SEILWAITH CYSYLLTIEDIG AR DIR YN NOC Y GOGLEDD, SEASIDE, LLANELLI, SA15 2LY

Cyfeiriodd y Swyddog Rheoli Datblygu at ymweliad preifat y Pwyllgor â'r safle'n gynharach y diwrnod hwnnw (gweler cofnod 4.1 o gyfarfod y Pwyllgor Cynllunio ar 12 Rhagfyr 2019) a oedd wedi ei gynnal er mwyn i'r Pwyllgor weld yr effaith y gallai'r datblygiad ei chael yn weledol ac o ran y rhwydwaith ffyrdd lleol. 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 argymell cymeradwyo'r cais am y rhesymau y manylwyd arnynt yn yr adroddiad ysgrifenedig.

PENDERFYNWYD caniatáu Cais Cynllunio S/38285 yn amodol ar yr amodau yn adroddiad y Pennaeth Cynllunio ac ar yr amod ychwanegol na fydd unrhyw waith yn dechrau ar y safle hyd nes bod y gwaith bwriadedig o wella priffyrdd ar hyd yr A484 yn Sandy wedi'i gwblhau.

4. RHANBARTH Y DWYRAIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

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

E/39454	**Newidiadau, adnewyddu a helaethu yn ogystal â dymchwel y strwythurau diangen a'r wal derfyn. Newid defnydd rhannau o'r adeilad i fod yn ddosbarth A1 (adwerthu), A3 (bwytai a chaffi), B1 (busnes) a D2 (ymgynnull a hamdden, prif ran neuadd y farchnad i fod â defnydd cymysg (dosbarthiadau A1, B1 a D2) yn hen neuadd y farchnad, Stryd Caerfyrddin, Llandeilo, SA19 6AE**

5. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO

5.1 PENDERFYNWYD YN UNFRYDOL ohirio'r cais cynllunio canlynol er mwyn i'r Pwyllgor ymweld â'r safle:-

S/39358	**Newid defnydd preswylfa o ddosbarth C3 i Gartref preswyl plant Dosbarth C2 yn 2 Erw Las, Llwynhendy, Llanelli, SA14 9SF** [Gan ei fod wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd y Cynghorydd D. Jones Siambr y Cyngor cyn i'r Pwyllgor ystyried y mater a phenderfynu arno]. Cafwyd sylw gan yr Aelod Lleol yn gofyn i'r Pwyllgor ymweld â'r safle er mwyn gweld y safle a'r briffordd leol. Y RHESWM: Galluogi'r Pwyllgor i gael golwg ar y safle ac i asesu'r effaith ar y briffordd.

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5.2 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/39644	**Bwriad i greu estyniad yn y blaen ac yn y cefn ac ychwanegu ffenestri dormer newydd, cynyddu llinell bresennol y grib i 350mm a newidiadau i oleddf y to yn 43 Heol Pen Llwyn Gwyn, Bryn, Llanelli, SA14 9UH;**
S/39750	**1) Estyniad unllawr newydd y tu cefn, 2) dymchwel y garej, ystafell aml-bwrpas a'r sied presennol a chreu estyniad ar y llawr gwaelod i ddarparu cegin/ystafell fwyta ac ystafell aml-bwrpas newydd yn eu lle. 3) dymchwel portsh mynediad ochr presennol ac adeilad portsh mynediad newydd yn ei le yn 37 Oaklands, Llanelli, SA14 8DE**

6. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

6.1 PENDERFYNWYD YN UNFRYDOL ohirio'r cais cynllunio canlynol er mwyn i'r Pwyllgor ymweld â'r safle:-

W/39590	**Bwriad i newid defnydd y tir o dir pori i wersyllfa - i gynnwys 1 cwt bugail moethus a phum pabell yn Penrhiwsych, Glantren Lane, Llanybydder, SA40 9SA** Y RHESWM: Galluogi'r Pwyllgor i gael golwg ar y safle ac asesu'r effaith ar y briffordd. Cafwyd sylw a wrthwynebai'r cais ac a ailadroddai'r pwyntiau y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio, gan gynnwys pryderon mewn perthynas â'r canlynol: • Mae'r lôn sy'n arwain i'r safle yn gul ac ond ychydig o leoedd pasio sydd ar gael. • Mae'r rheiny sy'n defnyddio'r lonydd yn aml yn defnyddio mynedfeydd preifat megis lleoedd pasio ac yn achosi rhwystr; • Mae cerbydau'n rhwystro lôn oherwydd eu bod yn gorfod aros hyd nes bod gatiau trydan y safle'n agor. • Mynediad acíwt o'r lôn i'r safle; • Pryderon yn ymwneud â diogelwch a cholli preifatrwydd. Ymatebodd y Swyddog Rheoli Datblygu a'r Uwch-dechnegydd (Cydgysylltydd Cynllunio Priffyrdd) i'r materion a godwyd.

6.2 PENDERFYNWYD caniatáu'r ceisiadau cynllunio canlynol yn amodol ar yr amodau y manylwyd arnynt yn Adroddiad/Atodiad y Pennaeth Cynllunio a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod:-

W/37398	**Cais am adeiladu un breswylfa newydd ar dir ger y Glyn, Drefelin, Llandysul, SA44 5XB;**
W/39414	**Darparu dau blot adeiladu ar dir ger Mwynfan, Heol Brynhaul, Pontyates, Llanelli, SA15 5TD;**

W/39441	**Bwriad i agor Canolfan Iechyd a Llesiant Cross Hands yn Uned 1, Parc Maes yr Eithin, Cross Hands, Llanelli, SA14 6SY;** [Noder - Gan fod y Cynghorydd D Jones wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd Siambr y Cyngor cyn i'r Pwyllgor ystyried y mater a phenderfynu arno].
W/39668	**Newid defnydd y siêd defaid ac ŵyn i gynelau cŵn ym Mlaenffrwd, Heol Blaen-y-coed, Trawsmawr, Caerfyrddin, SA33 6EJ**
W/39822	**Estyniad i ddarparu storfa i beiriannau, gwellt a gwasarn yn Nantygelli, Cynwyl Elfed, Caerfyrddin, SA33 6UT;** [Noder - Gan fod J Thomas, Uwch-swyddog Rheoli Datblygu [Rhanbarth y De] wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd Siambr y Cyngor cyn i'r Pwyllgor ystyried y mater a phenderfynu arno].

7. COFNODION - 12 RHAGFYR 2019

PENDERFYNWYD YN UNFRYDOL lofnodi cofnodion cyfarfod y Pwyllgor a gynhaliwyd ar 12 Rhagfyr 2019 gan eu bod yn gywir.

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CADEIRYDD **DYDDIAD**

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

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