

DYDD LLUN, 13 TACHWEDD 2023

AT: HOLL AELODAU Y PWYLLGOR CYNLLUNIO

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R PWYLLGOR CYNLLUNIO A GYNHELIR YN SIAMBR, NEUADD Y SIR, CAERFYRDDIN, SA31 1JP AC O BELL AM 10.00 YB DYDD MAWRTH, 21AIN TACHWEDD, 2023 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Wendy Walters

PRIF WEITHREDWR

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Wendy Walters Prif Weithredwr, *Chief Executive*,
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PWYLLGOR CYNLLUNIO
21 AELOD

GRŴP PLAID CYMRU- 11 Aelod

Cyng. Tyssul Evans (Cadeirydd)
Cyng. Mansel Charles
Cyng. Terry Davies
Cyng. Ken Howell
Cyng. Carys Jones (Is-Gadeirydd)
Cyng. Jean Lewis
Cyng. Denise Owen
Cyng. Dorian Phillips
Cyng. Russell Sparks
Cyng. Gareth Thomas
Cyng. Elwyn Williams

GRŴP LLAFUR - 5 Aelod

Cyng. Peter Cooper
Cyng. Michelle Donoghue
Cyng. Anthony Leyshon
Cyng. Edward Skinner
Cyng. Michael Thomas

GRŴP ANNIBYNNOL -3 Aelod

Cyng. Sue Allen (Aelod y Pwyllgor)
Lle Gwag
Lle Gwag

HEB GYSYLLTIAD 2 Aelod

Cyng. John Jenkins
Lle Gwag

A G E N D A

- 1. YMDDIHEURIADAU AM ABSENOLDEB**
- 2. DATGAN BUDDIANNAU PERSONOL**
- 3. PENDERFYNU AR GEISIADAU CYNLLUNIO**

5 - 24

Mae'r dudalen hon yn wag yn fwriadol

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Lle a Seilwaith**

**Report of the Head of Place
and Sustainability
Place and Infrastructure**

21/11/2023

**I'W BENDERFYNU
FOR DECISION**

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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	21.11.2023
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NO'S
PL/00462	Retrospective application for building for dog breeding purposes at Greenview, Llandeilo, SA19 7LD	9-16
PL/06769	Variation of Condition 1 of Planning Permission E/37932 to extend the period of commencement of the development by a further 5 years at Towy Valley Cycleway, Nantgaredig-Ffairfach	17- 23

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/00462
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Application Type	Full planning permission
Proposal	Retrospective application for building for dog breeding purposes
Location	Greenview, Llandeilo, SA19 7LD

Applicant(s)	Miss Fern Williams
Officer	Kevin Phillips
Ward	Manordeilo and Salem
Date of validation	03/12/2020

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 was received prior to the changes to the delegated protocol that was introduced in February 2022.

Site

The application site is a small holding approximately 70 metres East along the Unclassified 4486 road that junctions the B4302 road, approximately 1 kilometre north of Rhosmaen, Llandeilo. The site has a single storey dwelling and numerous modern outbuildings to the east and the outbuilding the subject of the application is approximately 12 metres Northeast of the dwelling. There is a large open access to the East of the Green View that serves the dwelling and existing modern agricultural style buildings. The nearest dwellings to the application site are Aelybryn, approximately 50 metres across the road to the East, Golwg y Dyffryn approximately 100 metres further to the Southeast and Bryncoed and Myrtwydd approximately 110 metres to the Southwest

Proposal

The proposal seeks retrospective permission for the change of use of the block and render with profile sheeted roof outbuilding for use as a commercial dog breeding kennels. The building is 14 m x 6.2 m in size with a flat roof and is attached to the rear of existing agricultural building to the East of the dwelling. There are 16 pens inside and there is an

outdoor run for each of the 7 runs to the western side, approximately 3 metres in depth. The total number of breeding dogs at the establishment at any one time is 31

Planning Site History

There is no relevant planning history relating to the outbuilding

Planning Policy

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

GP1 Sustainability and High Quality Design
TR3 Highways in Developments- Design Considerations

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 Transport- Any permission that the Local Planning Authority may give shall be subject to 3 recommended conditions.

Head of Public Protection – No objections following the consideration of the Noise Impact Assessment submitted in the application.

Manordeilo and Salem Community Council –

1. The level of noise generated and disturbance to nearby households and to the processing of the effluent.
2. That the structure had been erected without the necessary planning consents and that such developments required strict monitoring to ensure animal welfare.

Local Member(s) - Councillor Joseph Davies was the former County Councillor for this Community area and requested that the application be considered by the Planning Committee.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of a site notice. Two letters of objection were received. The objections raised can be summarised as follows:

- The application form conveys that there is no new access and parking provision has not changed and this is not correct as a new access has been created which impacts the objector's driveway.
- The parking provision for visitors is not satisfactory on a highway safety basis.

Any permission granted is undertaken with the application of recommended conditions;

1. that all buildings (permanent or temporary, residential or commercial) are accessed through the main yard at Greenview,
 2. that appropriate parking for residents and all visitors is created on the yard at Greenview,
 3. that the hole in the hedge for their drive is replanted with mature shrubbery,
 4. signage is erected on Greenview to ensure that all visitors know exactly where to attend and park thereby not interfering with my property.
- The building smells in summer and impacts the residents' living conditions.
 - A static caravan for residential purposes and a driveway has been developed without planning permission.
 - There should be operating hours applied to the proposed development.
 - The appropriateness of the Noise Impact Assessment submitted is questioned.

All representations can be viewed in full on our [website](#).

Appraisal

The main issues of relevance to this case are whether the principle of development is acceptable, the impact of the proposal on the living conditions and amenity of residents and the public, the impact on the character and appearance of the area and highway safety.

Principle of development

It is considered that the proposed use is an acceptable form of development in principle in a countryside setting within an established small holding. It is considered that a location that is not near adjoining residents and neighbours is more appropriate for breeding kennels than a location in a more built-up area where the potential for impacts upon neighbouring residents would be greater. The development is also within a complex of buildings as opposed to in an open exposed location. As such it is considered that the overall use is acceptable in principle subject to adherence with the development plan and any other material planning considerations.

The objections raised by the two third parties are acknowledged and, as highlighted in their responses, are reactions to media attention about existing dog breeding establishments within the County and throughout Wales. Both objectors make a presumption that the proposal would also lead to an additional puppy farm in the County. However, it is important to state that puppy farms are those dog breeding establishments that fall below the required standards for breeding establishments established through the licensing process. It should therefore not be presumed that all dog breeding establishments become puppy farms. It is the case that all dog breeding establishments must be licensed and colleagues within the Animal Health department have advised that the applicant in this case is aware of the licensing processes and is believed to be awaiting the results of the planning application process before formally applying for the licence. It should also be advised that just because planning permission is issued it is not automatically the case that the licence is issued. It is then the subsequent responsibility of the Council's Licensing department to monitor the establishments once in operation. The Council is aware of the issues raised in recent media attention concerning dog breeding establishments and multi-disciplinary meetings are continuing to take place to improve upon the ongoing monitoring of such establishments. Therefore, whilst the objections raised are acknowledged, it is considered that the matters would be controlled and monitored under the licensing processes and legislation.

Impact upon character and appearance of the area

Given that the proposal is adjacent to the holding's other buildings and is of an appropriate scale, design and materials, no concerns are raised in relation to the visual impact of the development on the wider area. In addition, the intended use complements the existing wider agricultural use of the land and therefore there are no concerns in terms of the development's impact on the character of the area.

Impact upon the living conditions of nearby residents and the public

There are three properties within relatively close proximity of the site. The potential for impacts mainly stem from noise and odour associated with the use. However, it is considered that there is sufficient distance between neighbouring properties to avoid unacceptable impacts. Furthermore, given the number of dogs proposed, which is by default restricted by the size of the building, the potential for such impacts are also minimised. Following the submission of a Noise Impact Assessment by the applicant, no concerns have been raised following consultation of the Council's Public Protection (Noise) section. On this basis, the proposal is considered to comply with the requirements of Policy GP1 of the LDP.

Highway safety

The proposal would introduce an additional commercial business at the existing small holding, however, given the number of dogs proposed for breeding, and the resulting traffic generated and the proposed car parking facility, it has resulted in the Head of Transport not raising any objections subject to the imposition of conditions to ensure the required visibility splays are created and maintained, that parking provision is provided and that the number of customers visiting the property at any one time is restricted. In this regard, it is considered that the proposal complies with Policy TR3 of the LDP.

Response to Representations Received

The application form conveys that there is no new access and parking provision has not changed and this is not correct as a new access has been created which impacts the objector's driveway.

The new access created is for an unauthorised development which includes a static caravan and driveway to the caravan. This is subject to a pending application PL/06520. This application has two parking spaces fronting the adjacent outbuilding to supplement the business, which has been supported by the Head of Transport.

The parking provision for visitors is not satisfactory on a highway safety basis.

The two parking spaces provided fronting the adjacent outbuilding to supplement the business, which has been supported by the Head of Transport.

Any permission granted is undertaken with the application of recommended conditions;

1. that all buildings (permanent or temporary, residential or commercial) are accessed through the main yard at Greenview,

2. that appropriate parking for residents and all visitors is created on the yard at Greenview,
3. that the hole in the hedge for their drive is replanted with mature shrubbery,
4. signage is erected on Greenview to ensure that all visitors know exactly where to attend and park thereby not interfering with my property.
5. Whilst 2 parking spaces have been proposed and accepted, it is not possible to instruct how the kennel building will be accessed by foot.
6. 2 parking spaces have been provided and supported by the head of Transport
7. The hole in the hedge is the subject of a pending planning application for a static caravan and access track-PL/06520
8. There is no reasonable planning requirement to erect a sign to instruct where visitors should park at the site.

The building smells in summer and impacts the residents' living conditions

Following the consultation of the Public Protection section in terms of the proposed development, no objection has been received in terms of any smells at the site. If this issue persists and continues, the objector will be able to request that the Public Protection section investigate the matter and appropriate action is undertaken on the management of the business.

A static caravan for residential purposes and a driveway has been developed without planning permission.

This is a proposal that is the subject of a separate pending planning application-PL/06520.

There should be operating hours applied to the proposed development.

It is considered that the nature of the proposed development whereby the adjacent residential properties are not too close to the property results in it being considered that there would not be any significant harm to the residential amenities of the properties and therefore it is not considered that operating hours are required to be applied.

The appropriateness of the Noise Impact Assessment submitted is questioned.

The NIA has been assessed and accepted by the Authority's Public Protection- Noise section, which has resulted in the response to consultation supporting the proposal subject to the application of a condition in terms of the proposed development being operated in accordance with Noise Management Plan. Any deviation from this plan will be investigated, advice given on rectifying the situation or possible enforcement action considered.

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 by reason of its siting within an outbuilding on the existing small holding, would not have an unacceptable impact on the character and appearance of the area. The site is sufficiently distant from neighbouring residents to minimise any unacceptable impacts upon living conditions and the Noise Impact Assessment submitted for consideration by Public Protection has not resulted in an objection to the proposal. No concerns are raised in relation to highway safety.

It is therefore considered that the proposal complies with policies GP1 and TR3 of the Carmarthenshire LDP and it is recommended for approval subject to the following conditions.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 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 15th December 2020

Reason:

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

Condition 2

The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-

- 1:1250 scale Location Plan, received 2 December 2020
- 1:500 scale Block Plan, received 22 July 2022
- Floor Plan, Section & Elevations (P01), received 2 December 2020
- E2 Consultants - Measurement of Environmental Noise, received 10 November 2021

Reason:

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

Condition 3

Within 2 months of the date of this permission, a visibility splay of 2.0 metres x 25 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.

Reason:

In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 4

Within 2 months of the date of this permission, 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.

Reason:

In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 5

No more than one customer/visitor shall be present at the premises at any one time, for the viewing or buying of animals staggered at least one hour apart.

Reason:

In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 6

Upon permission, the development hereby approved shall be carried out strictly in accordance with the Noise Management Plan as included within the Noise Impact Assessment, dated 1 July 2021 in perpetuity.

Reason:

To ensure that noise from this development does not have a negative impact on the amenity of nearby residential properties and to accord with Policies GP1 and EP2 of the Carmarthenshire Local Development Plan 2014.

Note 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.

Note 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.

Note 3

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

Application No	PL/06769
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Application Type	Removal/variation of conditions
Proposal	Variation of Condition 1 of Planning Permission E/37932 to extend the period of commencement of the development by a further 5 years
Location	Towy Valley Cycleway, Nantgaredig-Ffairfach

Applicant(s)	Carmarthenshire County Council - Jason Jones
Agent	Engineering Design Section - Adrian Harries
Officer	Paul Roberts
Ward	Llanegwad
Date of validation	25/10/2023

Reason for Committee

This application is being reported to the Planning Committee on the basis that it has been submitted by Carmarthenshire County Council.

Site

The application site consists of part of a narrow private access road that currently serves two residential properties, 'The Folly' and 'Tycastell', located to the south-west of the settlement of Nantgaredig. The roadway within the site extends to approximately 85 metres in length and is flanked on either side by high hedge banks which are also incorporated within the site. It is accessed via an unclassified road that extends westward from Station Road on the southern periphery of Nantgaredig and currently provides access to Nantgaredig Rugby Club and a nearby farmstead, 'Glan-yr-Ynys', that are located to the north of the site. The site occupies a countryside location on the outskirts of Nantgaredig being surrounded by large open pasture fields. The properties of 'The Folly' and 'Ty Castell' are located at the southern end of the private access road some 150 metres to the south of the site, immediately adjacent to the River Tywi.

Proposal

The application site currently has full planning permission for the formation of a shared use cycle and pedestrian path that will form part of the overall route of the Tywi Valley Path which, once completed, will extend from Abergwili to Ffairfach, Llandeilo. The planning permission was granted on the 28 November 2018 under planning application reference E/37932 and condition no. 1 of the permission requires that the development shall be commenced before the 28 November 2023. The current application seeks to vary condition no. 1 of the planning permission to extend the time period in which the development must be commenced by a further five years.

By way of background to the proposal, the Tywi Valley Path will consist of a new shared use cycle and pedestrian path that will extend in an east-west direction between Bishop's Palace Museum in Abergwili and Ffairfach, Llandeilo. Significant parts of the route will follow the route of the former Carmarthen-Llandeilo railway line that follows the flood plain of the River Tywi. It will be unsegregated consisting of a 3 metre wide hard surfaced path and can be broadly divided into two sections located to the west and east of the B4310 (Station Road) in Nantgaredig. The shorter western section between Abergwili and Nantgaredig will be 4.6 km in length, while the longer eastern section between Nantgaredig and Ffairfach will extend to 14.6 km. The entire route has the benefit of full planning permission with parts of the western section having already been completed. Members will recall that they resolved to grant planning permission for the eastern section of the path at their previous meeting on the 22 June 2023 under planning application reference PL/05353.

The current application relates to part of the shorter western section of the path that was originally granted planning permission on 6 April 2017 under planning application reference W/34225. This original permission has subsequently been extended in November 2021 under planning permission PL/00279. The route approved under these permissions is located within the field enclosure immediately to the west of the site whereby the path was to extend in a north south direction contiguous with the inside of the existing hedgebank before egressing through the hedgebank onto the private road immediately to the south of the farmstead of 'Glan-yr-Ynys' and continuing along this road before connecting with the unclassified road to the north.

Following the granting of the original planning permission, the applicant received a request from the owners of 'Glan-yr-Ynys' to amend the approved route to increase the separating distance between the point of egress of the path onto the private road and the agricultural buildings located within their farmstead. In accordance with this request, the Council amended the route under planning permission E/37932 whereby the point of egress onto the road will now be located some 100 metres to the south of the agricultural buildings located within the farm. The current application seeks to vary condition no. 1 of this planning permission to extend the time period in which the development must be commenced by a further five years.

In terms of the design of the scheme, the existing concrete surface finish of the road is to be replaced with a new tarmac finish along the route of the path within the site. The short length of hedgebank to be removed as part of the development will be translocated into the field enclosure along the north western side of the path and will be supplemented by additional native species hedgerow planting to provide a net benefit for biodiversity as part of the proposal.

Planning Site History

W/34225 – The provision of a shared use path along the lower Towy valley. the proposal is to utilise parts of a former rail corridor along with an existing right of way, on agricultural land - Full Planning Permission 6 April 2017

E/36594 - Variation of condition 3 - 10 on W/34225 (to allow use of completed parts as they become available and allow tarmac surfacing at angling club car park to be undertaken out of fishing season) - Removal / variation of condition granted 31 January 2018

E/36593 - Discharge of condition 9 on W/34225 (written scheme of investigation - details of boundary treatments) - Discharge of Planning Condition Granted 8 February 2018

E/36701 - Discharge of condition 7 and 10 on W/34225 (translocation of hedge and boundary treatments) - Discharge of planning condition granted 13 March 2018

W/37658 - Discharge of condition 8 (tree protection plan) of W/34225 (approved 06.04.2017) - Discharge of planning condition granted 26 September 2018

E/37932 - Formation of hard-standing to facilitate the construction of the Tywi valley path - Full Planning Permission 28 November 2018

E/38554 - Discharge of conditions 5 & 6 (landscape scheme drawings) on W/34225 (the provision of a shared use path along the lower towy valley. The proposal is to utilise parts of a former rail corridor along with an existing right of way on agricultural land) - Discharge of Planning Condition Granted 21 May 2019

PL/00239 - Discharge of Conditions 4 & 11 on W/34225 (The provision of a shared use path along the lower Towy Valley. The proposal is to utilise parts of a former rail corridor along with an existing right of way, on agricultural land) Condition 4 - EMP and CEMP; Condition no. 11 (Flood warning signage) - Discharge of Planning Condition Granted 8 November 2021

PL/00279 - Removal of condition 12 and variation of condition 3 on W/34225 (Gates & barrier detail & hard surfaced path) - Removal / Variation of Condition Granted 9 November 2021

Planning Policy

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

SP1	Sustainable Places and Spaces
SP2	Climate Change
SP9	Transportation
SP14	Protection and Enhancement of the Natural Environment
SP15	Tourism and Visitor Economy
SP16	Community Facilities
GP1	Sustainability and High Quality Design
TR3	Highways in Developments – Design Considerations
TR4	Cycling and Walking
EQ4	Biodiversity
EQ5	Corridors, Networks and Features of Distinctiveness
EQ6	Special Landscape Areas

EP1 Water Quality and Resources
EP2 Pollution

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Town Community Councils – Llanegwad Community Council have not commented on the application to date.

Local Members - County Mansel Charles is a member of the Planning Committee and has not commented on the application to date.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application has been publicised with the posting of a site notice within the vicinity of the site. In response, no third party letters of representation have been received to date.

All representations can be viewed in full on our [website](#).

Appraisal

The principle of developing the new Tywi Valley shared use cycle and pedestrian path between Abergwili and Ffairfach has already been established with the granting of the current extant planning permissions for the overall route, with parts of the route having already been completed. Similarly, the principle of developing the path through the application site has been established with the granting of the current planning permission under application reference E/37932.

In terms of the planning policy context of the proposal, Policy TR4 'Cycling and Walking' of the LDP endorses the principle of developing a new cycle route along the Towy Valley between Carmarthen and Llandeilo by safeguarding land required to facilitate its construction. Moreover, cycling and walking form an integral part of the Plan's strategic objectives set out in Policy SP9 'Transportation' of achieving a safe and efficient integrated transport system that reduces reliance on private transport such as the car, and promoting greater accessibility and active travel choices which, ultimately, will contribute towards healthier lifestyles and wellbeing benefits to the population of the County. Allied to these policies, Policy SP1 'Sustainable Places and Spaces' of the LDP supports proposals for development where they reflect sustainable development by, amongst others, creating safe, attractive and accessible environments which contribute to people's health and wellbeing, and promoting active transport infrastructure and safe and convenient sustainable access particularly through cycling and walking. Policy SP16 'Community Facilities' also supports the provision of new community facilities and recognises the significant contribution they make to the quality of life, enjoyment and inclusivity of settlements and communities within the County, and the potential health benefits of improved accessibility to formal and informal recreation and leisure activities.

The proposal represents a sustainable development that is in accord with the objectives of the abovementioned policies in delivering cycling and walking network improvements along the Tywi Valley between Abergwili and Ffairfach. It will offer a safe and direct route for pedestrians and cyclists travelling to and from the wide range of services and facilities available in Carmarthen and Llandeilo as well as improving accessibility to the various settlements, communities and tourist facilities in the local area. It will improve accessibility throughout the area via cycling and walking and offer numerous benefits in terms of active travel and health and well-being, while also enhancing opportunities for recreation and tourism. The path will itself become a tourist destination affording users with a unique opportunity to walk and cycle along the attractive setting of the Towy Valley with views of its surroundings, helping to attract visitors to the area and providing economic benefits to existing businesses and tourist facilities whereby visitors would use and visit these as well as local attractions. The scheme will also deliver economic benefits during the construction phase with the creation of new employment opportunities.

The proposal also aligns with the wider corporate objectives of the Council set out in its various plans and strategies which include, amongst others, the Carmarthenshire Well-being and Strategic Regeneration Plans and Corporate Strategy which seek to improve the health and wellbeing of residents by encouraging healthy and active lifestyles, while also creating new walking and cycling facilities as tourist attractions and providing sustainable travel options to employment sites, schools and tourist facilities. The path is also an integral element of the Council's Cycling and Active Travel Strategies and their objectives of improving existing infrastructure and facilities in accordance with the requirements of the Active Travel Act (2013).

From a national planning policy perspective, the path is in accord with the objectives of Planning Policy Wales of providing safe and attractive cycle routes and footpaths as well as its policy emphasis of focussing on sustainable and non-motorised travel to reduce the reliance on the private car and support a modal shift to public transport, walking, cycling and their associated health and well-being benefits. Similarly, the scheme complies with the focus of the Welsh Government's national plan for Wales, 'Future Wales : The National Plan 2040' of delivering more active travel and sustainable transport infrastructure.

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 examination of the site, together with the representations received to date, the proposed development is considered to be acceptable and in compliance with the key policy objectives of the Authority's LDP as well as those of national planning policy.

The application seeks to extend the period of implementation of an existing planning permission and given the absence of any material change in circumstances since the current planning permission was granted, including no change in local or national planning policy

material to the current application, there is no justifiable reason for the Council not to issue a new planning permission thereby extending the period for implementation by a further five years. Further, the application has attracted no third party objections.

For these reasons, the application is put forward with a favourable recommendation.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.

Reason:

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

Condition 2

The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and documents :

- Location plan (PA-FY-GA01)

received on 24 October 2023

- General Arrangement Plan (PA-FY23-GA01)

received on 9 November 2023

- Method statement – translocation of hedgerows and root protection

received on 6 November 2023

Reason:

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

Condition 3

The development hereby approved shall not be brought into beneficial use until the hedge translocation and planting scheme contained in the General Arrangement Plan (PA-FY23-GA01) received on 9 November 2023 and 'Method statement – translocation of hedgerows and root protection' received on 6 November 2023 have been completed in accordance with the approved details.

Any existing elements retained or translocated; or new elements installed, constructed, planted or seeded in accordance with the approved scheme which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective,

to such extent that, in the opinion of the local planning authority, the function of the element in relation to this planning approval is no longer delivered, shall be replaced, within six months of written notification by the local planning authority, or within in the next available planting or seeding season thereafter, with replacement elements of similar size and specification.

Reason:

In the interests of biodiversity.

Notes / Informatives

Note 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.

Note 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