

Pecyn Dogfennau



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

DYDD MERCHER, 19EG GORFFENNAF, 2017

AT: HOLL AELODAU'R PWYLLGOR CYNLLUNIO

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R
PWYLLGOR CYNLLUNIO A GYNHELIR YN Y **SIAMBR, NEUADD Y SIR,
CAERFYRDDIN AM 10.00 A.M. AR DDYDD IAU, 27AIN GORFFENNAF, 2017**
ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD
YNGHLWM

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democraidd:	Michelle Evans Thomas
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Cyf:	AD016-001



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

PWYLLGOR CYNLLUNIO 20 AELOD

Y GRŴP PLAID CYMRU – 10 AELOD

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

Y GRŴP LLAFUR – 6 AELOD

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

Y GRŴP ANNIBYNNOL – 4 AELOD

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

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB.
2. DATGAN BUDDIANNAU PERSONOL.
3. RHANBARTH Y DWYRAIN - PENDERFYNU AR GEISIADAU CYNLLUNIO. 5 - 22
4. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO. 23 - 64
5. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU CYNLLUNIO 65 - 88
6. LLOFNODI YN COFNOD CYWIR COFNODION Y CYFARFOD A GYNHALIWDYD AR Y 13EG MEHEFIN, 2017. 89 - 92

Mae'r dudalen hon yn wag yn fwriadol

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

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

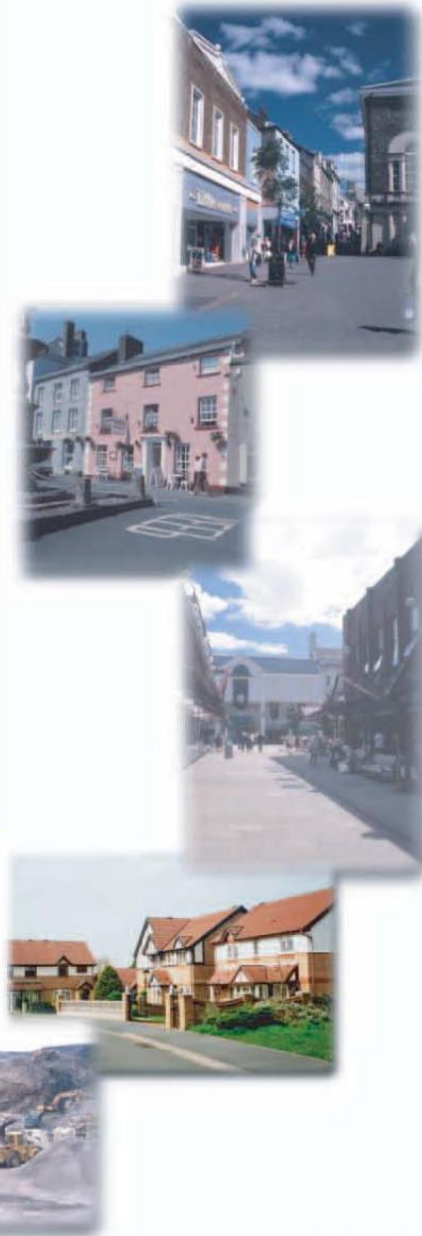
**AR GYFER PWYLLGOR
CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 27 GORFFENNAF 2017
ON 27 JULY 2017**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal
Dwyrain/
Area East*



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	27 JULY 2017
REPORT OF:	HEAD OF PLANNING

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REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NOS.
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E/35622	Conversion of Former Courthouse to Offices at Former Courthouse, Margaret Street, Ammanford, SA18 2NP	17 - 21

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
	There are no applications recommended for refusal.

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/34907
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Application Type	Full Planning
Proposal & Location	MIXED USE DEVELOPMENT CONSISTING OF A1, OFFICE AND RESIDENTIAL ELEMENTS AT FORMER POLICE STATION AND COURTHOUSE SITE, MARGARET STREET, AMMANFORD, SA18 2NP

Applicant(s)	ASPECT DEVELOPMENTS LTD, C/O AGENT,
Agent	JCR PLANNING LTD - JASON EVANS, UNIT 2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	Andrew Francis
Ward	Ammanford
Date of validation	04/01/2017

CONSULTATIONS

Welsh Government Transport Division – Recommends the imposition of planning conditions.

Natural Resources Wales – Has no objections to the proposal, offers advice about foul water and bats.

Dwr Cymru Welsh Water – Has no objections to the proposal.

Dyfed Powys Police – Requests that the developers liaise with the Police in order for building to achieve Secure by Design accreditation.

Ammanford Town Council – No comments received to date.

Local Member – County Councillor D Harries has not commented to date.

Neighbours/Public – The application was advertised by means of a Site Notice. No comments have been received as a result.

RELEVANT PLANNING HISTORY

E/10762 Construction of 12 self-contained flats
over 4 offices.
Full Permission Granted

22 February 2007

Tudalen 9

E/10006	Removal of bank and construction of retaining wall along Margaret St frontage Full Permission Granted	26 July 2005
E/08582	Redevelopment of vacant site to provide hotel, restaurant and function space with ancillary accommodation Withdrawn	03 May 2005
AM/03689	Conversion of redundant police station building into commercial office units Full Permission Granted	19 March 2003
AM/03688	Conversion of redundant police station building into residential useage Full Permission Granted	19 May 2003
P6/856/93	Siting of two portacabins – double decker Planning Approved	17 February 1994

APPRAISAL

This is an application in which the Council has an interest as a landowner.

THE SITE

The application site consists of the prominent plot of land in Ammanford that was the site of the old police station on the corner of College Street and Margaret Street. The old police station was demolished a number of years ago and the site has remained as undeveloped brownfield land since. The former police station was built adjacent to the existing but currently unused court building which is of a similar architectural style to the old police station. This is subject to a concurrent application also presented at this Committee.

The parcel of land measures 1880 sq. m. and is relatively flat, though the land around to the north and east rises, with existing buildings sited to the east and a retaining wall and road to the south.

The access to the site is via College Street which is the A483 trunk road and serves a mixed use area of Ammanford leading to a main junction. The area is characterised by various uses including offices, shops, A3 restaurants, health clinics and professional consulting rooms.

THE PROPOSAL

The application seeks full planning permission for the development of a 2-storey building which would accommodate 4 two bedroom flats on the first floor and a grocery shop on the ground floor.

Each flat on the first floor seeks to provide two bedrooms, a lounge, a kitchen, a bathroom and a lobby. Two of the flats measure 51 sq. m., one flat measures 62 sq. m. and the final flat measures 64 sq. m.

The proposed A1 use grocery retail unit on the ground floor measures some 295 square metres.

In terms of the external finishes of the building, it is proposed that the walls are to have a facebrick lower half with a white roughcast rendered first floor with face brick detailing. The roof is to have an artificial slate covering, whilst the ground floor windows are to be grey aluminium units and facade whilst the first floor is to have white uPVC units.

In addition to the new development, the existing courthouse basement is to be converted to be used as a store area for the proposed retail unit.

In total, 22 parking spaces are proposed to serve the development – 4 are to serve the proposed flats, with the remaining 18 to be used for customers of the shop. Of these, 3 will be designated disabled spaces.

Recently, a retaining wall has been built along the site's southern edge. This will be utilised to provide a walkway up to the flat entrance at first floor which is situated in between the proposed building and the former courthouse building.

PLANNING POLICY

The application site lies within the settlement development limits for Ammanford and just outside the edge of the defined Town Centre, as defined in the Carmarthenshire Local Development Plan. As such, policies GP1, GP3, H2, RT1, TR1, TR2 and TR3 apply.

Policy GP1 states that in this instance the development should conform with and enhance the character and appearance of the area, utilise appropriate materials and should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community. The proposal should also include a mixture of uses appropriate to the scale of the development and helps to create attractive and safe public places, which has an appropriate access which does not give rise to any parking or highway safety concerns and has regard for the for the satisfactory generation, treatment and disposal of both surface and foul water.

Policy GP3 states that where necessary, developers will be required to enter into planning obligations to secure contributions to fund improvements needed arising from the new development. In implementing this policy, schemes will be assessed on a case by case basis. This case will require a contribution, however as the landowner is the Council, it cannot enter into an agreement with itself. Instead a Planning Condition will be used to secure the contribution.

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

Policy AH1 seeks a contribution towards affordable housing on such development sites. This area is situated within the 10% sub market area. Where viability targets cannot be achieved, variation may be agreed on a case by case basis.

Policy RT1 states that retail proposals will be considered in accordance with the Authority's retail hierarchy and the policies of the LDP. Ammanford is a Principal Centre and Growth Area. Whilst the site isn't in the defined town centre it is adjacent.

Policy TR1 requires that any proposals should not restrict traffic movement or compromise the safety of the primary road network.

Policy TR2 considers proposals which have the potential for significant trip generation and will be permitted where it is located in a manner consistent with the Plan's strategic objectives, policies and proposals, is accessible to non-car modes of transport and provision is made for non-car modes of transport and those with mobility difficulties.

Policy TR3 in this instance requires that the development has appropriate parking and servicing space in accordance with required difficulties, an appropriate access reflective of the relevant class of road and speed limit and suitable drainage systems that dispose of surface water from the highway. Proposals which do not generate unacceptable levels of traffic on the surrounding road network and would not be detrimental to highway safety or cause significant harm to the residents will be permitted, as will proposals which will not result in offsite congestion where the road network capacity is sufficient.

THIRD PARTY REPRESENTATIONS

No third party representations have been received as a result of the consultation process.

CONCLUSION

The submitted application is of an acceptable design for the location. Its scale is suitable for the plot it occupies and the related buildings to the rear and the area in general. Given the empty plot, the move to utilise it with a retail unit and four residential flats, the proposal regenerates a prime brownfield site in Ammanford which is beneficial to the townscape whilst not harming the amenities of any neighbouring buildings and not giving rise to any highway or parking concerns, in compliance with policy GP1.

In terms of policy H2, the provision of 4 new residential units at this location is acceptable and compliant with the policies of the LDP.

With regard to the retail aspect of the proposal and policy RT1, the proposal's location adjacent to the defined Town Centre of Ammanford, a Primary Centre and Growth Area, is generally considered to fit within the retail hierarchy of the LDP and therefore it is considered that the proposal is located acceptably in a mixed use area, compliant with RT1.

Given that the site fronts the A483 trunk road, it has been important to ensure that the transport issues of this proposal have been considered carefully. Following the submission of amended plans the Welsh Government's Transport Division has offered no objection to the proposal. It is considered that the proposal is served by a suitable access, parking and turning facility. Given its central location, in close proximity to the town's bus station the site is well served by alternative forms of transport and is also easily reached by walking and cycling and by those with mobility difficulties. The surrounding highway network is also capable of accommodating the potential extra traffic this development

could generate. As such, it is considered that the proposal conforms to policies TR1, TR2 and TR3.

Turning to the issue of providing contributions to the affordable housing fund as required by policies GP3 and AH1, typically these would be secured via a legal agreement in accordance with Section 106 of the Town and Country Planning Act. However, as the Local Authority currently own this land, we cannot enter into a legal agreement with ourselves. As such, the contribution of £9571.44 will be requested as a condition.

Taking the above into account, on balance, it is considered that the proposed development offers a suitable form of development for the currently vacant brownfield plot in a prime location in Ammanford and does so in compliance with the relevant policies of the LDP. As such, the proposal is recommended for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans unless amended by any of the following conditions:
 - The 1:1250 scale Site Location Plan (CW489/03) received on the 30 November 2016,
 - The 1:500 and 1:250 scale amended Proposed Access (101A) received on the 27 March 2017,
 - The 1:100 scale amended Proposed Site Layout Plan (CW489/02a Rev D) received on the 8 March 2017,
 - The 1:100 scale Courthouse Proposed Floor Plans and Elevations (CW489/01 Rev A) received on the 30 November 2016.
 - The 1:100 scale amended Proposed Floor Plans and Elevations for Retail and Residential Units (CW489/01 Rev K) received on the 24 May 2017.
- 3 Prior to construction a site compound shall be identified for the written approval of the Local Planning Authority so that all vehicles can enter and exit the site in a forward gear during the construction phase.
- 4 All access works with the trunk road shall be fully completed to the satisfaction of the Local Planning Authority prior to beneficial use of the proposed development.
- 5 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 purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 6 The rating level of the noise emitted from the A1 and office development shall not exceed the existing background noise level. The rating noise levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made

in accordance with BS 4142: 2014 Methods for Rating and Assessing Industrial and Commercial Sound.

- 7 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise emissions arising from the development to determine whether they exceed the noise levels specified in Condition 1. The assessment shall be undertaken under the supervision of the Local Authority.
- 8 In the event that Condition 7 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in Condition 7. These measures will then be implemented forthwith.
- 9 The shop hereby permitted shall not operate other than between the hours of 07:00 and 23:00 Monday to Sundays including public and bank holidays.
- 10 The permission hereby approved shall be carried out strictly in accordance with the Discussion, Limitations of Survey, Recommendations, Requirements and Mitigation, Notes, Method Statement and Appendix 2 sections of the submitted bat report.
- 11 No residential unit hereby approved shall be occupied until a commuted sum totalling £9571.44 towards an Affordable Housing Fund as per the requirement in Local Development Plan policy AH1 based upon the rate of £41.98 per sq. m in the 10% sub market area.
- 12 Prior to the commencement of development details or samples of the bricks to be used on the external elevations of the proposed building is to be submitted to and approved in writing by the Local Planning Authority. The scheme will be built as approved.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity.
- 3-5 In the interest of highway safety.
- 6-9 In the interest of residential amenity.
- 10 To protect ecological interests on the site.
- 11 To help provide for affordable housing in the area.
- 12 In the interests of visual amenity.

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 if development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

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

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk)
- 3 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).
- 4 Any prospective purchaser(s) of the land referred to in the Planning Permission E/34907 will be required in the Contract of Sale to enter into a Unilateral Undertaking or S106 Agreement with Carmarthenshire County Council for the provision of an Affordable Housing contribution of £41.98 per square metre.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development accords with policy GP1 of the LDP in that the proposed development represents an acceptable form of development which is appropriate to the character and appearance of the surrounding area, is of an acceptable design and will not have an unacceptable impact upon the residential amenity of nearby properties and provides an acceptable access and parking facilities.
- The proposed development accords with policy GP3 and AH1 of the LDP in that the proposed development is to contribute towards the affordable housing fund based on its location in the 10% sub market area.

- The proposed development accords with policy H2 of the LDP in that the land is situated within the settlement limits for Ammanford and the proposal does not conflict with other policies within the plan.
- The proposed development accords with policy RT1 of the LDP in that the proposal is situated immediately adjacent to the defined Town Centre of Ammanford which is defined a Principal Centre in a Growth Area, making good use of brownfield land.
- The proposed development accords with policies TR1, TR2 and TR3 of the LDP in that the proposed development is accessible from non-car modes of transport, located in a manner consistent with the plan's objectives, would not generate unacceptable levels of traffic on the surrounding road network, or harm highway safety whilst providing acceptable parking and service space to highway standards.

Application No	E/35622
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Application Type	Full Planning
Proposal & Location	CONVERSION OF FORMER COURTHOUSE TO OFFICES AT FORMER COURT HOUSE, MARGARET STREET, AMMANFORD, SA18 2NP

Applicant(s)	ASPECT DEVELOPMENTS LTD, C/O AGENT,
Agent	JCR PLANNING LTD - JASON EVANS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Andrew Francis
Ward	Ammanford
Date of validation	05/06/2017

CONSULTATIONS

Welsh Government Transport Division – Offers no objection to the proposal.

Dwr Cymru Welsh Water – Has no objections to the proposal.

Ammanford Town Council – No comments received to date.

Local Member – County Councillor D Harries has not commented to date.

Neighbours/Public – The application was advertised by means of a Site Notice. No comments have been received as a result.

RELEVANT PLANNING HISTORY

E/34907	Mixed Use Development Consisting of A1, Office and Residential Elements	Pending
E/10762	Construction of 12 self-contained flats over 4 offices. Full Permission Granted	22 February 2007
E/10006	Removal of bank and construction of retaining wall along Margaret St frontage Full Permission Granted	26 July 2005
E/08582	Redevelopment of vacant site to	

	provide hotel, restaurant and function space with ancillary accommodation Withdrawn	03 May 2005
AM/03689	Conversion of redundant police station building into commercial office units Full Permission Granted	19 March 2003
AM/03688	Conversion of redundant police station building into residential useage Full Permission Granted	19 May 2003
P6/856/93	Siting of two portacabins – double decker Planning Approved	17 February 1994

APPRAISAL

This is an application in which the Council has an interest as a landowner.

THE SITE

The application site consists of the existing building situated on Margaret Street which once accommodated the courthouse. It once was linked to the old police station fronting College Street, but this has been demolished over ten years ago, leaving a prominent plot of land on the corner of College Street and Margaret Street. This site has a concurrent application, E/34907, which is also under consideration.

The existing former courthouse building is a fairly attractive red brick and render building set on a sloping plot, with three floors. The basement currently accommodates a boiler room, a services room and a garage. The main floor accommodates the court hall which has a vaulted ceiling, a magistrate's room, a solicitor's room, an office and WCs.

The vehicular access to the site is via College Street which is the A483 Trunk road and serves a mixed use area of Ammanford leading to a main junction. The area is characterised by various uses including offices, shops, A3 restaurants, health clinics and professional consulting rooms. The local area is also served by a large public car park.

THE PROPOSAL

The application seeks full planning permission for the conversion of the existing building into offices. The main floor is to be split into two distinct office spaces, with three large offices, a kitchenette, WC, lobby and lift in the space where the court chamber was, and four smaller offices, 2 WCs and a kitchen in the area where the court offices were located. A new first floor is to be created which again is to provide a space with 4 offices, a kitchen area and WC facilities.

The basement is to be utilised by the adjacent site and the application submitted under reference E/34907 which seeks to use the basement as a storage area to serve the proposed retail unit.

The building isn't to be extended in any way so the conversion works would be fully self-contained within the existing structure.

PLANNING POLICY

The application site lies within the settlement development limits for Ammanford and just outside the edge of the defined Town Centre, as defined in the Carmarthenshire Local Development Plan. As such, policy GP1 applies.

Policy GP1 states that in this instance the development should conform with and enhance the character and appearance of the area, utilise appropriate materials and should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community. The proposal should also include a mixture of uses appropriate to the scale of the development and helps to create attractive and safe public places, which has an appropriate access which does not give rise to any parking or highway safety concerns and has regard for the for the satisfactory generation, treatment and disposal of both surface and foul water.

THIRD PARTY REPRESENTATIONS

No third party representations have been received as a result of the consultation process.

CONCLUSION

The submitted application barely makes any changes to the external appearance of the building, whilst offering a new and marketable use which should help it retain its usefulness near the centre of Ammanford. Given the extremely modest external changes, the proposal is of an acceptable design for the location and in conjunction with the retail and residential development adjacent, the overall proposal aims to regenerate a prime brownfield site in Ammanford which is beneficial to the townscape whilst not harming the amenities of any neighbouring buildings and not giving rise to any highway or parking concerns, in compliance with policy GP1.

Taking the above into account, it is considered that the proposed development offers a suitable form of development within the currently empty building currently vacant brownfield plot in a prime location in Ammanford and does so in compliance with the relevant policies of the LDP. As such, the proposal is recommended for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans unless amended by any of the following conditions received on 13 April 2017:
 - The 1:1250 scale Location Plan (CW489.13),
 - The 1:100 scale Proposed Floor Plans and Elevations (CW489.11 Rev D),
 - The 1:100 scale Section Details (CW489.12).

- 3 The rating level of the noise emitted from the office development shall not exceed the existing background noise level. The rating noise levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for Rating and Assessing Industrial and Commercial Sound.
- 4 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise emissions arising from the development to determine whether they exceed the noise levels specified in condition 3. The assessment shall be undertaken under the supervision of the Local Authority.
- 5 In the event that Condition 3 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in Condition 3. These measures will then be implemented forthwith.
- 6 The permission hereby approved shall be carried out strictly in accordance with the Discussion, Limitations of Survey, Recommendations, Requirements and Mitigation, Notes, Method Statement and Appendix 2 sections of the submitted bat report.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity.
- 3-5 In the interest of residential amenity.
- 6 To protect ecological interests on the site.

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 if development will constitute unauthorised development. This will necessitate the

submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

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

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk)
- 3 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development accords with policy GP1 of the LDP in that the proposed development represents an acceptable form of development which is appropriate to and will enhance the character and appearance of the surrounding area, maintains the design of the existing building design and will not have an unacceptable impact upon the amenity of nearby properties. It also has due regard for the safe use of the existing transport network and is easily accessible by all forms of transport, including those with restricted mobility.

APPLICATIONS RECOMMENDED FOR REFUSAL

Ardal Del
Area South

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

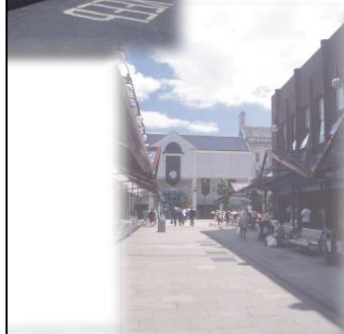
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 27 GORFFENNAF 2017
ON 27 JULY 2017**

**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:	27 JULY 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/34537
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF 8 HOUSES TOGETHER WITH ASSOCIATED VEHICULAR AND PEDESTRIAN ACCESSES, CAR PARKING, LANDSCAPING, DRAINAGE AND OTHER ANCILLARY DEVELOPMENT AT LAND ON EASTERN SIDE OF, HEOL BRONALLT, HENDY, LLANELLI

Applicant(s)	GREENWAY HOMES DEVELOPMENTS, CAMBRIAN COMPLEX, YSTRAD ROAD, FFORESTFACH, SWANSEA, SA5 4HJ
Case Officer	Paul Roberts
Ward	Hendy
Date of validation	11/10/2016

CONSULTATIONS

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

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

Head of Public Protection and Housing – Has raised no objection to the application.

Coal Authority – Have raised no objection to the application subject to the imposition of a condition on any permission granted securing the submission of a scheme of intrusive investigations to determine whether there are any coal mining constraints within the site and, where necessary, a remediation strategy to safely remediate any identified constraints.

Dwr Cymru Welsh Water – Have examined the drainage proposals submitted with the application and confirmed that they have no objection to the application.

Natural Resources Wales - Have confirmed that they have no objection to the development.

Welsh Government (Transport Division) – Have confirmed that they have no objection to the application.

Llanedi Community Council - Have objected to the application on the following basis:

- Existing drainage problems in the area, lack of capacity in the existing system and the flooding of existing properties.
- Loss of an important wildlife corridor.
- Highway problems along Bronallt Road which is a one way system with poor access.
- Traffic problems in Hendy particularly during peak periods will be exacerbated by the development.

Local Member - County Councillor G B Thomas has objected to the application on the following grounds and has requested that the Planning Committee undertake a visit to the site :

- The loss of a natural wildlife corridor for mammals, invertebrates and insects.
- The existing road infrastructure is not suitable to accommodate the development and is already at maximum capacity.
- Access to the site via Bronallt Road is very narrow with little or no room for pedestrians.
- Concern regarding the steep gradient of the new estate road particularly during periods of frost and snow.
- Concerns regarding the proposal to drain surface water from the development via attenuation tanks and soakaways given the gradient of the site. The development would increase the risk of flooding to the houses at Clayton Road which are located below the site.
- Potential for new springs to appear within the site as a result of a change to the soil structure during construction works.

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

As a result of these publicity exercises, a number of third party letters of representation have been received from neighbouring residents who object to the application. Two signed petitions have also been received from local residents and interested parties in opposition to the development.

A number of letters of support have also been received in response to the application together with a further signed petition from local residents expressing their support of the development. The respondents support the provision of eco-friendly and affordable homes on the site and highlight that existing properties that have been built in the area are too expensive for most to afford.

The issues raised by the respondents who object to the application are summarised below:

- Highway impacts of additional traffic – narrowness of Bronallt Road which is one way and has a lack of footways.
- Increased traffic congestion on roadways including Iscoed Road and Fforest Road.
- Impact upon the junction of the M4 at Hendy.
- Dangerous access into and out of the site.

- The application is a first phase of 40 dwellings and combined with other proposed developments such as Clos Benallt it will have unacceptable traffic impacts.
- The development would change the rural character of the area and have a harmful urbanising effect.
- The proposal would constitute ribbon development.
- Houses don't compare to existing properties in the area and will be out of keeping with the area.
- The development will worsen existing surface water and sewage flooding of neighbouring properties in Clayton Road and Iscoed Road downslope of the site.
- The subsoil structure of the site is impermeable and will result in surface water flowing down the slope towards existing properties of Clayton Road and Iscoed Road.
- Concerns regarding the use of attenuation tanks and soakaways to remove surface water – seepage to properties at a lower level.
- Risks of landslips.
- Loss of a recreation area.
- Impact upon the Welsh language.
- Damage to neighbouring properties.
- Loss of trees and hedgerows and impact upon ecology.
- Loss of wildlife habitats.
- Park needs improving.
- Noise pollution to residents.
- Ground contamination – risk to human health.
- Lack of infrastructure – GP surgery, local schools etc.
- No need for additional housing given that a significant number of new houses are to be built in Pontardulais.
- Loss of privacy and light to existing properties.
- Loss of view.

RELEVANT PLANNING HISTORY

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

S/13659	Proposed residential development Outline planning permission	30 July 2009
D5/4603	Residential Development Outline planning permission refused	13 March 1980

APPRAISAL

This application is subject to a Section 106 Agreement.

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

THE SITE

The application site consists of an irregular shaped parcel of land located off the eastern side of Bronallt Road in Hendy. It covers an area of approximately 0.56 hectares forming part of a larger field enclosure that extends eastwards from Bronallt Road towards the western edge of the Squirrel Walk and Golwg yr Afon housing estates to the east. The land consists of improved grassland.

The site has a road frontage of approximately 45 metres with Bronallt Road with the area flanking the road having a gentle fall in an easterly and southerly direction. The levels of the remainder of the site fall significantly towards its eastern and southern boundaries.

The site's western, northern and southern boundaries are defined by a mix of hedgerows, trees and fencing/walling. Its eastern boundary is undefined and merges with the remainder of the field enclosure. The site's frontage represents an undeveloped gap along Bronallt Road which is otherwise largely built up on both sides by residential development. The side and rear gardens of a number of these properties abut the northern and southern boundaries of the site.

The site is located in a primarily residential area with Bronallt Road being characterised by a mix of large detached properties as well as former local authority semi-detached housing principally to the north of the site. The latter is adjoined by a small park which abuts the northern boundary of the site. The Squirrel Walk and Golwg yr Afon housing estates are located to the east of the site and set at a significantly lower level. There is a further smaller field enclosure to the south of the site which slopes down towards the rear of the properties of Clayton Road to the south.

Parts of Bronallt Road have been included within the application site in the interests of providing a new footway along the roadway and securing the necessary visibility splays from the new access proposed.

THE PROPOSAL

The application seeks full planning permission for the construction 8 detached dwellings together with associated access, parking, landscaping and drainage works. The scheme is to consist of 3 no. three bedroom properties and 5 no. five bedroom houses which are to be of a contemporary design. The proposal represents the first phase of a larger scheme to develop the remainder of the field enclosure and neighbouring field to the south with the overall development potentially providing circa 41 dwellings.

The layout of the development seeks to utilise the sloping nature and southerly aspect of the site while at the same time having regard to the character and amenity of existing neighbouring properties. Vehicular access is to be achieved via a new estate road that will extend through the site in a north easterly direction and egress onto Bronallt Road via a new T Junction. New footways are to be provided either side of the junction along Bronallt Road.

Three of the houses are to front onto Bronallt Road either side of the new access in order to create interest and reinforce the existing frontage of properties along the roadway. The remaining houses all front onto the new estate road with parking to the front and side and private garden areas to the rear. The houses are orientated in a southerly and south easterly direction to maximise the solar gain to the properties and the current outlook and views from the site. The former is reflected in the contemporary design of the houses with their

monopitch roof designs and use of solar panel technology as well as the large glazed openings in their south facing elevations.

The three houses fronting Bronallt Road are of a two storey design to reflect those of existing neighbouring properties. Similarly the three bedroom houses within the development are of a two storey construction albeit a number are of a split level design to utilise the sloping nature of the site. The two larger five bedroom houses are of a three storey split level design to, again, utilise the change in levels within the site.

The elevations of the houses will consist of a mix of render, natural slate and oak cladding while the roofs will be clad with a grey standing seam system. The southerly elevations of the houses will include balcony features which have been sensitively designed to safeguard the amenity of adjacent properties. One of the principal objectives of the development is to use sustainable materials and techniques in order to minimise the carbon footprint of the scheme. The latter will include the use of measures such as solar PV systems, triple glazed windows and air source heat pumps.

Each house is to have a minimum of three off road parking spaces with a number of these being provided within integral and detached garages. The significant change in levels within the site will require significant cut and fill earthworks as part of the development and the estate road will have a 1 in 10 gradient through the development. Moreover, the layout will include retaining wall features within and around a number of the houses to accommodate the change in levels. Boundary treatment measures will include a mix of walling, fencing and hedging.

Pedestrian facilities are provided throughout the development with footways either side of the estate road while a footpath link is also provided to the nearby park.

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

1. Preliminary Ecological Appraisal.
2. Arboricultural Report.
3. Drainage Strategy Report.
4. Geotechnical and Geo-Environmental Site Investigation.
5. Dust Prevention Scheme.
6. Reptile Survey Report.

The site investigation report identifies a potential risk to ground stability from unrecorded shallow mine workings within the vicinity of the site and outlines a series of remediation measures to be implemented as part of the development.

The ecological appraisal confirms that the site is dominated by improved species-poor pasture which is considered to be of low ecological value. Notwithstanding this, it highlights that the site has potential to support foraging and commuting bats, badgers, birds and reptiles and makes a number of recommendations to mitigate the impacts of the development. At the same time, it provides a series of ecological enhancement measures such as the installation of bird and bat boxes which, alongside new landscaping proposals, will assist in enhancing the foraging, feeding and nesting opportunities within the site.

Similarly, the reptile survey report sets out mitigation proposals to prevent any reptiles entering the construction site.

The arboricultural report presents the findings of a tree survey of the site and concludes that the site can accommodate the development whilst retaining the trees that are of amenity value on the perimeter of the site. The dust prevention scheme sets out a series of measures designed to minimise the impacts of construction works upon neighbouring residents.

The drainage report confirms that there are no watercourses within or close to the boundary of the site and that it falls outside the fluvial and tidal flood risk zones defined under TAN15. The report draws on the findings of the geotechnical and geo-environmental investigation of the site as well as an extensive programme of soakaway testing to inform the design of the surface water drainage strategy proposed to serve the development. These confirm that the majority of the site is underlain by approximately 3 metre depth of free-draining superficial deposits overlying the bedrock. Moreover, the underlying rock also displays a good degree of vertical permeability.

The surface water disposal strategy for the development is designed to mimic the existing drainage characteristics of the site whereby run-off will be dissipated into the ground at source via infiltration. This is to be achieved with the use of porous surfacing across the development which will allow rainfall infiltration into the ground surface at the point it hits the ground. All hard surface areas including the estate road, private driveways, patios and footpaths will be designed with discrete, individual sub-base infiltration areas and the roof areas of each individual property will discharge to the porous paving area within each respective property.

The scheme will utilise a 'Formpave' system for the estate road with the road being split into discrete zonal areas each with a flat infiltration base area. The overall scheme has been designed to achieve 'zero runoff' for a 1 in 100 yr plus 30% storm event. Notwithstanding this, the scheme will also include an integrated land drainage system that will act as a 'factor of safety' to intercept any overland flow and any shallow lateral ground water flow thus protecting the proposed on-site and existing properties downslope of the site. The system will include a series of land drains that will convey any flows to an infiltration swale to be constructed at the lowest point in the eastern periphery of the site. This land drainage network will be modified on any subsequent phases to suit the full development layout and will include the replacement of the swale with crate soakaways further downslope serving future phases. The roadway and soakaway systems are to be privately maintained.

It is of note that the original drainage strategy submitted with the application proposed that runoff from the estate road be collected and via gullies and discharged to a soakaway at the lowest point of the site. However, following discussions with officers of the Authority's land drainage team the scheme was amended to incorporate the 'Formpave' system described above.

In terms foul drainage, the three dwellings fronting Bronallt Road will connect to the public sewer in Bronallt Road. The remaining dwellings will drain to the existing sewer running north-south centrally down the site.

Community Benefits

The applicants have agreed to enter into a Section 106 Agreement whereby they will provide the following level of contributions as part of the development.

1. Affordable Housing – one of the three bedroom detached dwellings on the site is to be provided as an affordable dwelling in accordance with the (10%) requirement of Policy AH1 of the LDP.

The Authority's Education Department have confirmed that the relevant catchment schools serving the site have surplus places and as such no commuted payment towards education is required. Furthermore, the Authority's Parks Manager has not requested a commuted payment towards the provision or improvement of play or open space facilities in the local area.

PLANNING POLICY

Local Development Plan (LDP)

In the context of the Authority's current Development Plan the application site is located within the development limits of Hendy and is allocated for housing purposes under Policy H1 of the Plan.

The site forms part of housing allocation TR3/7/H5 in the Plan which relates to the wider field enclosure wherein it is located. The allocation is identified as being capable of accommodating 28 units. It is of note that the field enclosure to the south of the site is also allocated for housing purposes under reference T3/7/H4. This allocation is identified as being suitable for a further 20 units giving an overall figure of 48 units for both allocations. The current application relates to a first phase of 8 dwellings on housing allocation TR3/7/H5 and the applicant has provided an indicative layout of future phases which depicts an overall development of circa 41 units on both allocations.

Reference is drawn to the following policies of the Plan:

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

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

Policy SP3 states that provision for growth and development will be at sustainable locations in accordance with the LDP's settlement framework wherein Hendy is identified as a Service Centre which is located on sustainable transport corridors and has a broad range facilities and services that provide for the needs of the settlement and wider local catchment.

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

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

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

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

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

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

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

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

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

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

Similarly, Policy EP1 requires that proposals will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters.

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

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

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

National Planning Policy

Planning Policy Wales (PPW) (Edition 9, November 2016) provides a national overview of planning policy on a wide range of issues relevant to the proposed development. The Welsh Government supports the vision for good quality, mixed housing accessible to all which conforms to sustainability principles which underpin all planning policy guidance.

The document refers to the Welsh Government's approach, as set out in its National Housing Strategy, to provide more housing of the right type and to offer more choice while ensuring that new housing and residential environments are well designed and make a significant contribution to promoting community regeneration and improving the quality of life. Further emphasis is placed on the requirement to ensure that new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development.

Para 9.1.2 of PPW goes on to highlight that local planning authorities should, amongst others, promote sustainable residential environments that are easily accessible by public transport, walking and cycling, have good access to employment, retail and other services and make the most efficient use of land.

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

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

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

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

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

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

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

THIRD PARTY REPRESENTATIONS

The application has attracted a large number of objections in the form of letters and signed petitions. A small number of letters of support have also been received as has a petition signed by local residents who support the application. The issues of concern raised by the respondents are addressed in the following appraisal.

A common ground of concern amongst the respondents is that the local highway network within the surrounding area is inadequate to accommodate the additional traffic generated by the development and the resulting detrimental impact upon highway safety. Many are of the perception that the narrowness of Bronallt Road and lack of pedestrian facilities along the same make it unsuitable to serve the development while others draw reference to it being a one-way route. Traffic congestion on the wider network of Iscoed and Fforest Road has also been raised as has the safety of the access into the site. Concerns have also been raised regarding the capacity of the nearby M4 motorway junction.

The Head of Transport having carefully assessed the proposal has raised no objection to the application from a highway capacity or safety perspective. He is satisfied that the local roads serving the site can safely accommodate the increase in traffic resulting from the proposed 8 new dwellings and that the access serving the development meets the requisite standards.

Concerns that access to the site will be via a one way system up Bronallt Road are misjudged in that the Highway Authority have recently implemented a Traffic Order which extends the current two-way traffic section at the northern end of Bronallt Road down beyond the proposed new access into the application site. This will, in effect, allow vehicles to access the development from either direction via Bronallt Road rather than having to follow the one way route to the south as suggested by the respondents.

In terms of pedestrian safety, whilst it is acknowledged that Bronallt Road does not have the benefit of a continuous footway on its northerly route up to the site, the general alignment of the road does nevertheless provide a good level of intervisibility whereby drivers are able to clearly see any pedestrians walking along the roadway. Moreover, pedestrians are only required to utilise the carriageway along short sections of the road where there is sufficient space to allow them to seek refuge from any traffic flows.

Concerns regarding the traffic impact of potential future phases of the development are not material in the determination of the current application which relates solely to the 8 dwellings

proposed. Furthermore, Welsh Government have raised no concerns regarding the impact of the proposal upon the signalised junction of the M4 in Hendy.

The proposal is therefore considered to be in compliance with Policies SP9, GP1, and TR3 of the LDP in terms of the highway impacts of the development.

A further common ground of concern amongst respondents is that the development will lead to surface and foul water flooding of neighbouring properties downslope of the site. Particular reference is made to the flooding of properties in Clayton Road and Iscoed Road.

In terms of foul drainage, Welsh Water have raised no objection to the applicants' proposal to discharge foul water into the existing public sewer that crosses the site and the sewer located in Bronallt Road.

Turning to surface water drainage, the site has been the subject of detailed ground investigations and infiltration testing which have informed the final design of the scheme proposed. The scheme will dispose of surface water in a sustainable and controlled manner via the use of soakaway systems throughout the development while an integrated land drainage system is also provided as a 'factor of safety'. The Authority's land drainage engineers are satisfied that the scheme has been designed to mimic the current water drainage within the site and will cause no detriment to existing properties downslope of the site by way of surface water flooding. NRW have also raised no objection to the development in this regard subject to the appropriate maintenance of the scheme. As highlighted earlier in the report, the estate road and surface water drainage scheme are to be maintained by a private company and the applicant will be required to provide details of the same as part of the Section 106 agreement.

The Authority's land drainage engineers and NRW have raised no concerns regarding the potential creation of new springs within the site as a result the development.

The proposal is therefore considered to be in accord with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner without causing unacceptable harm to neighbouring properties or the wider water environment.

In terms of the respondents' ecology concerns, the ecological appraisal submitted in support of the application confirms that the site is of low ecological value. Notwithstanding this, the Authority's Planning Ecologist has recommended that the permission granted be conditioned to require the submission of an Ecological Management Plan designed to mitigate the impacts of the development while providing enhancement measures alongside new planting proposals. The development is also to be implemented in accordance with the recommendations of the Reptile Survey Report submitted in support of the application. The permission granted will therefore be conditioned in accordance with this advice to safeguard against any unacceptable ecological impacts and ensure compliance with the requirements of Policy EQ4 of the LDP. NRW have raised no objection to the application in this regard.

The issue of the impact of the development upon the amenity levels of neighbouring residential properties in terms of loss of privacy, light and potential overshadowing have been carefully examined as part of officers' assessment of the application. The separating distances and orientation of the new houses relative to the existing properties along Bronallt Road will avoid harmful overshadowing and loss of outlook or privacy. Similarly, although the proposed houses will be elevated above the existing properties of Golwg yr Afon and

Squirrel Walk to the east of the site, the differing orientations of the existing and new properties combined with a separating distance of some 65 metres to the nearest existing property will safeguard against any unacceptable overshadowing or loss of privacy effects. Whilst it is accepted that the development will cause noise and disruption to neighbours during construction works, this will be temporary in duration.

As to the concerns regarding the urbanising impact of the development upon the surrounding area, the application site is allocated for residential development in the Authority's adopted LDP. Moreover, the density of the development falls within the parameters of the allocation set out in the Plan. In addition, whilst a number of respondents have referred to the proposal as ribbon development, the estate form and layout of the development is such that it would clearly not constitute such a development or result in a linear extension of the settlement.

The general scale, design and spatial layout of the development are considered to be acceptable within the context of the surrounding pattern of development which consists of a mix of dwelling types and densities. Although the dwellings exhibit a bespoke and contemporary appearance in comparison with existing properties in the locality, the high quality design of the houses combined with the palette of external finishes and hard and soft landscaping will result in the creation of an attractive residential estate that will complement and enhance the visual amenity of the surrounding area.

The development will provide a mix of dwelling types and sizes that will be well related to the built form of the settlements of Hendy and Fforest and their associated services and facilities. Furthermore, new development will benefit from good levels of accessibility to public transport being close to a number of bus services in the local area.

The development therefore accords with policies SP1, SP2, SP3, GP1, EP2, TR2 and TR3 in terms of its sustainability and impact upon the surrounding area.

A number of respondents have concerns regarding the impact of the development upon local services and facilities such as schools and health facilities and question whether sufficient capacity exists to accommodate the development. As highlighted above, the site is well related to the range of services and facilities available in Hendy as well as those in the wider areas of Pontardulais and Llanelli. The relevant catchment schools serving the settlement have surplus places that can accommodate a development of the scale proposed. Furthermore, it is envisaged that the range of health care services available in the wider area including doctor's surgeries and hospital facilities will be able to accommodate the development.

Turning to concerns regarding the stability of the site, the Coal Authority who have recommended the imposition of a condition requiring the submission of a scheme of intrusive investigations and, where necessary, a remediation strategy to safely remediate any identified constraints. The permission granted will be conditioned in accordance with their advice.

It is not envisaged that a development of the scale proposed will have an impact upon the long terms viability of the Welsh language as suggested by a number of respondents. To the contrary, the provision of a mix of dwelling types and sizes including an affordable unit will make a positive contribution towards retaining young potentially Welsh speaking residents in the local area.

The Head of Public Protection has raised no objection to the application from a ground contamination perspective while concerns that the development will result in the loss of a recreation area are unfounded in that the site is in private ownership. With regard to the perceived need to improve existing parks in the area, the Authority's Parks Manager has not requested a commuted payment towards the same as part of the development.

Finally, matters raised regarding loss of existing views and damage to neighbouring properties are not material in the determination of the application.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to represent an acceptable form of residential development that will be in keeping with and complement the general character and appearance of the surrounding area. The site is allocated for housing purposes and its development complies with the key policy and sustainability objectives of the Authority's adopted Local Development Plan and National Planning Policy.

The general design and layout of the scheme are acceptable and will provide a high quality development that will respond well to the site's setting in the wider area. The permeability of the site in terms of vehicular and pedestrian links together with the mix of parking solutions and quality boundary treatment measures will reinforce the attractiveness of the scheme.

The development will provide a range and choice of housing types and sizes that will be well related to the existing services and facilities in Hendy and the wider Pontarddulais and Llanelli areas as well as being within easy access of existing public transport facilities and the M4 motorway.

The proposal also satisfies the sustainability requirements of the LDP from an environmental quality and utility provision perspective by implementing a drainage strategy that will dispose of foul and surface water in a sustainable and controlled manner. Furthermore, and as outlined in the appraisal above, there are no highway, amenity, or ecological objections to the development

Accordingly, the application is put forward with a favourable recommendation subject to the successful completion of a Section 106 Agreement securing the community benefits outlined above.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development shall begin not 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:
 - Location plan referenced PAS01 REV 01 received on 29 June 2017
 - Block Plan Phase 1 drawing referenced PAS02 REV 04 received on 18 July 2017.
 - Existing levels drawing referenced PAS56 REV 0 received on 29 June 2017.

- Proposed levels drawing referenced PAS57 REV 01 received on 29 June 2017.
- Visibility splays drawing referenced PAS50 REV 03 received on 29 June 2017.
- Parking and splays drawing referenced PAS50a REV 02 received on 29 June 2017.
- Pedestrian visibility splays drawing referenced PAS50b REV 03 received on 29 June 2017.
- Vertical visibility envelope drawing referenced PAS50c REV 01 received on 29 June 2017.
- Drainage Strategy Report referenced C0675/R2 dated June 2017 received on 29 June 2017.
- Plot 6 Ground floor drawing referenced PAS29 REV01 received on 20 December 2016.
- Plot 6 First Floor Plan drawing referenced PAS30 REV 01 received on 20 December 2016.
- Plot 6 Roof plan drawing referenced PAS33 REV 01 received on 20 December 2016.
- Plot 6 Elevations drawing referenced PAS31 REV 01 received on 20 December 2016.
- Plot 6 Cross Sections drawing referenced PAS32 REV 01 received on 20 December 2016.
- Reptile Survey Report referenced GHD081116 received on 15 November 2016.
- Dust Pollution Prevention Statement dated November 2016 received on 29 June 2017.
- Plot 7 elevations referenced PAS 38 REV 02 received on 18 July 2017.
- Plot 7 elevations referenced PAS 39 REV 02 received on 18 July 2017.
- Plot 7 basement plan referenced PAS 34 REV 02 received on 18 July 2017.
- Plot 7 ground floor plan referenced PAS 35 REV 02 received on 18 July 2017.
- Plot 7 garage plan referenced PAS 37 REV 02 received on 18 July 2017.
- Plot 7 first floor plan referenced PAS 36 REV 02 received on 18 July 2017.
- Plot 7 roof plan referenced PAS 41 REV 02 received on 18 July 2017.
- Plot 7 section referenced PAS 40 REV 02 received on 18 July 2017.
- Plot 8 elevations referenced PAS 46 REV 02 received on 18 July 2017.
- Plot 8 elevations referenced PAS 47 REV 02 received on 18 July 2017.
- Plot 8 basement plan referenced PAS 42 REV 02 received on 18 July 2017.
- Plot 8 ground floor plan referenced PAS 43 REV 02 received on 18 July 2017.

- Plot 8 garage plan referenced PAS 45 Rev 02 received on 18 July 2017.
- Plot 8 first floor plan referenced PAS 44 REV 02 received on 18 July 2017.
- Plot 8 roof plan referenced PAS 49 REV 02 received on 18 July 2017.
- Plot 8 section referenced PAS 48 REV 02 received on 18 July 2017.
- Plot 1 elevations referenced PAS 06 REV 01 received on 26 September 2016.
- Plot 1 first floor plan referenced PAS 05 REV 01 received on 26 September 2016.
- Plot 1 ground floor plan referenced PAS 04 REV 01 received on 26 September 2016.
- Plot 1 roof plan referenced PAS 08 REV 01 received on 26 September 2016.
- Plot 1 typical section referenced PAS 07 REV 01 received on 26 September 2016.
- Plot 1 garage elevations referenced PAS 57 REV 02 received on 18 July 2017.
- Plot 1 garage plan referenced PAS 56 REV 02 received on 18 July 2017.
- Plot 1 garage roof plan referenced PAS 58 REV 02 received on 18 July 2017.
- Plot 2 elevations referenced PAS 11 REV 01 received on 26 September 2016.
- Plot 2 first floor plan referenced PAS 10 REV 01 received on 26 September 2016.
- Plot 2 ground floor plan referenced PAS 09 REV 01 received on 26 September 2016.
- Plot 2 roof plan referenced PAS 13 REV 01 received on 26 September 2016.
- Plot 2 typical section referenced PAS 12 REV 01 received on 26 September 2016.
- Plot 3 elevations referenced PAS 16 REV 01 received on 26 September 2016.
- Plot 3 first floor plan referenced PAS 15 REV 01 received on 26 September 2016.
- Plot 3 ground floor plan referenced PAS 14 REV 01 received on 26 September 2016.
- Plot 3 roof plan referenced PAS 18 REV 01 received on 26 September 2016.
- Plot 3 sections referenced PAS 17 REV 01 received on 26 September 2016.
- Plot 4 elevations referenced PAS 21 REV 00 received on 26 September 2016.
- Plot 4 first floor plan referenced PAS 20 REV 00 received on 26 September 2016.
- Plot 4 ground floor plan referenced PAS 19 REV 00 received on 26 September 2016.
- Plot 4 roof plan referenced PAS 23 REV 00 received on 26 September 2016.
- Plot 4 section referenced PAS 22 rev 01 received on 26 September 2016.

- Plot 3 and 4 garage elevations referenced PAS 51 REV 01 received on 26 September 2016.
- Plot 3 and 4 garage plan referenced PAS 50 REV 01 received on 26 September 2016.
- Plot 3 and 4 roof plan referenced PAS 52 REV 01 received on 26 September 2016.
- Plot 5 elevations referenced PAS 26 REV 00 received on 26 September 2016.
- Plot 5 first floor plan referenced PAS 25 REV 00 received on 26 September 2016.
- Plot 5 garage elevations referenced PAS 54 REV 01 received on 26 September 2016.
- Plot 5 garage plan referenced PAS 53 REV 01 received on 26 September 2016.
- Plot 5 garage roof plan referenced PAS 55 REV 01 received on 26 September 2016.
- Plot 5 ground floor plan referenced PAS 24 REV 00 received on 26 September 2016.
- Plot 5 roof plan referenced PAS 28 REV 00 received on 26 September 2016.
- Plot 5 section referenced PAS 27 REV 00 received on 26 September 2016.
- Geotechnical and Geo-Environmental Site Investigation Report referenced 13706 received on 27 September 2016.
- Preliminary Ecological Appraisal prepared by ECOSA dated August 2016 received on 26 September 2016.

- 3 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the details shown prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 4 Prior to the occupation of the dwellings the required access roads and footpaths leading from the existing public highway to the respective units shall be laid out and constructed in accordance with the details shown on the drawings hereby approved.
- 5 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

- 6 The foul and surface water drainage scheme proposed to serve the development shall be undertaken in strict accordance with the details contained in the Drainage Strategy Report referenced C0675/R2 dated June 2017 received on 29 June 2017.
- 7 No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 8 No development shall take place until an intrusive site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the local planning authority. The results of the intrusive site investigation shall be submitted to the local planning authority before any development begins. If any land instability issues are found during the intrusive site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the local planning authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained for the lifetime of the development.
- 9 No development or site clearance shall take place until Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall deliver detailed design proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions. The scheme shall be in compliance with the principles of the landscape and ecological contained in the ecological assessment prepared by ECOSA dated August 2016 and received on 26 September 2017.
- 10 The development hereby approved shall be undertaken in strict accordance with the recommendations contained within section 6.0 of the reptile survey report referenced Doc. Ref: GHD081116 received on 15 November 2016
- 11 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 12 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 20.0 metres from the nearside edge of the carriageway.
- 13 Prior to any use of the accesses onto Bronallt Road by vehicular traffic, 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 roads in relation to the nearer edge of carriageway. In particular there shall at no time be any growth or obstruction over 0.9m within this splay area.

- 14 Prior to any use of the shared private drive serving plot nos. 3 and 4 by vehicular traffic, a visibility splay of 2.4 metres x 25 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway. In particular there shall at no time be any growth or obstruction over 0.6m within this splay area.
- 15 Prior to occupation of the dwellings hereby approved, a tactile crossing point shall be created crossing Bronallt Road at the northern end of the footway provided to the front of plot no. 3. The work shall be completed to the written approval and specification of the Local Planning Authority.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out
- 3-4 In the interests of highway safety.
- 5 To prevent the pollution of the environment
- 6 To ensure the installation of an appropriate drainage scheme and to prevent the pollution of the environment.
- 7 To ensure the provision, establishment and maintenance of a suitable landscape scheme.
- 8 To ensure any ground instability issues are dealt with in an acceptable manner.
- 9-10 To safeguard against unacceptable biodiversity impacts.
- 11-15 In the interests of highway safety.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposal complies with Policy H1 of the LDP in that it is allocated for residential development.
- The proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- The proposal complies with Policy GP1 of the LDP in that it is appropriate in terms of scale and will not cause unacceptable loss of amenity to neighbouring properties.
- The proposal complies with Policy EQ1 of the LDP in that it will not adversely affect landscapes, townscapes and features of historical or archaeological interest.

- The proposal complies with Policy TRS3 of the LDP in that it will be served by suitable access and parking provision and the traffic generated by the proposed development will not adversely affect highway safety or residential amenity.
- The proposal complies with Policies AH1 and GP3 of the LDP in that the applicant/developer will contribute towards community benefits as part of the development.
- The proposal complies with Policy EQ4 and SP14 in that the development will not cause demonstrable harm to priority species or their habitats and the natural environment.
- The proposal complies with Policy EP3 of the LDP in that adequate surface water disposal methods can be put in place.
- The proposal complies with Policy GP4 and EP2 in that it will be served by adequate infrastructure and not pose an unacceptable risk to the natural environment.

NOTES

- 1 The applicant/developer is advised that the outline application relating to this development is the subject of a Section 106 Agreement requiring an element of affordable housing within the development and the payment of commuted sums to the Council in respect of improvements to educational and recreational facilities in the locality and improvements to the local highway and surface water drainage networks.
- 2 Further advice and guidance from consultees is provided in their consultation responses which can be viewed on the Authority's website. This may include reference to other relevant permissions and legislation.
- 3 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

- 4 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.
- 5 Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Application No	S/35403
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Application Type	Outline
Proposal & Location	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AT LAND ADJACENT TO, 32 ERW TERRACE, BURRY PORT, LLANELLI, CARMARTHENSHIRE, SA16 0DA

Applicant(s)	CARMARTHENSHIRE COUNTY COUNCIL - MR JASON JONES, RURAL BUSINESS DEVELOPMENT CENTRE, NANT Y CI, CARMARTHEN, SA33 5DR
Case Officer	Robert Davies
Ward	Burry Port
Date of validation	12/04/2017

CONSULTATIONS

Head of Transport – No objection subject to conditions.

Land Drainage Officer – No response received to date.

Pembrey and Burry Port Town Council – No response received to date.

Local Members – County Councillor J James agrees with the concerns raised by local residents in terms of parking and the suitability of the site for residential development. He respectfully requests that the Planning Committee undertake a site visit prior to determining the application.

As the application was registered in April 2017 prior to the recent local elections, the former local member County Councillor P E M Jones was consulted on the application. County Councillor P E M Jones made no comments.

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

Natural Resources Wales – No objection.

The Coal Authority – No objection subject to conditions.

Neighbours/Public – 7 no. neighbouring properties consulted on the application. To date 13 letters of representation have been received raising the following concerns and objections:-

- Loss of car parking – this is the current and intended use for the site to meet the parking needs of Penybryn Avenue and Erw Terrace residents. There is insufficient on street parking available to meet parking needs and the houses in this area do not benefit from any other form of off street parking. Vehicles that currently park on the application site will be forced to park on street at Penybryn Avenue and Erw Terrace exacerbating the current situation.
- The residents understood that following the demolition of the former garages which were originally built in the 1950's the County Council was going to re-surface the site for use as car parking. This has not been done and the Council now seek to develop the site and remove such a facility in its entirety with no alternative provision proposed. The site has been left to become overgrown but is still used by residents for parking purposes.
- In the absence of a parking area, residents will be forced to park on the turning head at Penybryn Avenue forcing residents to reverse out towards the junction with Erw Terrace thus creating a highway and pedestrian safety risk. Cars will also be parked part on the pavements obstructing use by pedestrians and particularly people with disabilities and parents with buggies.
- Cars parked on the pavements and turning area will also block access for emergency vehicles, delivery vehicles and refuse collection lorries.
- The layout of properties at Erw Terrace and Penybryn Avenue reflect an age when vehicles were far less prevalent and modern levels of car ownership have exacerbated the situation. This position is extremely apparent at the cul-de-sac at the end of Erw Terrace, directly adjacent to the proposed development where gridlocks occur and vehicles undertake lengthy reversing manoeuvres as there is no turning facility. Parking on the pavement on Erw Terrace is a normal occurrence to assist easier access, but to the detriment of pedestrians.
- Increased traffic associated with proposed development.
- The proposed dwellings could be re-aligned at right angles to that shown ensuring that they could be accessed from one point of access only.
- Adverse impact upon the amenity of existing residents by virtue of the above concerns in relation to access and parking and also on grounds relating to scale and overbearance.
- The proposal is contrary to the planning policies contained within the Adopted Local Development Plan.
- Land ownership dispute
- Devaluation of property.
- Surface water drainage concerns
- Capacity concerns in relation to foul drainage.
- Japanese knotweed contamination
- Any development on this site will need to ensure the stability of surrounding ground
- Badger activity in the area.
- Utility posts and street lights will need to be altered and moved as part of this development. This needs to be considered at the planning application stage.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

This is an application which Carmarthenshire County Council has an interest in terms of being applicant and landowner.

This application is subject to a Section 106 Agreement

THE SITE

The application site consists of an almost rectangular parcel of land located at the eastern end of Erw Terrace and Penybryn Avenue in Burry Port. This site which currently has a vehicular access on to Penybryn Avenue to the south, previously housed Council owned domestic storage garages used by local residents. These garages were demolished approximately 10 years ago and since that time the site has become partly overgrown however it is apparent that the hardstanding areas are still used for parking purposes by some residents.

The application site which is in excess of 50 metres in length by approximately 18 metres in width is largely level however the land does rise up towards Erw Terrace to the north, and falls away towards Dandorlan Road to the east. A footpath link runs adjacent to the western boundary of the application site connecting Erw Terrace to the north with Penybryn Avenue to the south.

THE PROPOSAL

The application seeks outline planning permission for residential development with all matters reserved for future consideration. The indicative scheme submitted for consideration depicts two back to back dwellings, one fronting and accessed from Penybryn Avenue to the south and the other fronting and accessed from Erw Terrace to the north in line with the existing street pattern. Each dwelling is shown to have its own off street parking arrangement.

The planning statement states the change in topography off Erw Terrace potentially allows for a split level dwelling with two storey façade on to Erw Terrace, whilst the dwelling at Penybryn Avenue would be typically two storey. The scale parameters outlined in the proposed dwellings between 6m and 10m in depth, 8m to 12m in width and a ridge height between 7m to 10m.

The application has been accompanied by a Planning Statement, Coal Mining Risk Assessment and Tree Survey report.

PLANNING POLICY

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

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

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

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

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

Policy GP1 of the LDP promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing.

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

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

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

Policy AH1 of the LDP requires a contribution to affordable housing on all housing allocations and windfall sites. On such a proposal a commuted sum financial requirement is relevant.

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

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

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

THIRD PARTY REPRESENTATIONS

As aforementioned in this report, 13no. letters of objection have been received from neighbouring properties whilst the concerns raised have been supported by one of the local County Councillors. The material reasons for concern and objection raised will now be addressed individually as part of this appraisal, however the matters in relation to devaluation of property, relocation of utility posts and street lights, and land ownership are not considered to be material planning considerations. With respect to the latter the applicant has confirmed in writing that the land contained within the application site red line is wholly within their ownership.

The main reason for objection raised relates to highway and pedestrian safety. The objectors state that the proposed development will result in the loss of a well-used car parking area, thereby forcing residents to park on street at both Penybryn Avenue and Erw Terrace exacerbating the existing on street parking situation. This will result in increased reversing movements and parking on pavements, and will block access for emergency, delivery and refuse vehicles.

In relation to these points reference is primarily drawn to the consultation response received from the Authority's Head of Transport who raises no objection towards the proposed development subject to the imposition of a number of conditions on any planning permission granted.

Both Erw Terrace and Penybryn Avenue are residential streets, are not through roads and therefore the level of traffic using these streets reflect this fact. Whilst the LPA would acknowledge that such residential areas were developed at a time when cars were less prevalent, something that is not uncommon, some existing residential properties along both Erw Terrace and Penybryn Avenue benefit from having off street parking whilst there are no on street parking restrictions preventing on street parking in the wider area.

As aforementioned in this report the application site used to house garages which would have been rented out to local residents for use, however these were demolished approximately 10 years ago. It appears that the site is still used on an informal basis for parking however the application site does not provide a formalised car parking arrangement as would have been the case when the garages were in existence. Such informal parking could be prevented at any time by the landowner. It is noted that some of the objectors have stated that the Council had agreed to re-surface the site following demolition of the garages in order to provide a more formalised car park. The LPA is unaware of such an agreement and must determine the application on its current form and merit.

The indicative layout submitted with the application indicates that one dwelling will be accessed off Penybryn Avenue and the other off Erw Terrace. Such a development will not significantly result in an increased level of traffic using both residential streets. The Authority's Head of Transport has requested a condition which limits only one dwelling being accessed off Erw Terrace. Both proposed dwellings will have their own off street parking arrangement and thus the only increase in on street parking will be associated from the displacement of the vehicles currently informally parked within the application site. As already mentioned, such vehicles will instead have to park on the surrounding network of streets which do not have parking restrictions.

With regards to the concern raised over loss of amenity by virtue of scale and overbearance, Members are reminded that the current application is in outline form only with all matters

reserved for future consideration. The indicative plans and scale parameters provided with the application depict dwellings which are of a scale and layout considered in-keeping with the existing dwellings in the locality. Detailed consideration to matters of scale and design will be given due consideration as part of any subsequent reserved matters submission.

In terms of drainage, the applicant has indicated that surface water is to be disposed of via soakaways, which is considered to be an acceptable and sustainable form of disposal. A condition can be imposed on any planning permission granted requiring a detailed scheme of surface water disposal for subsequent approval. The Authority's Land Drainage Officer has been consulted on the application and has provided no comments to date.

The proposed means of foul water is to the mains sewer, which again in the most appropriate means, and Dwr Cymru/Welsh Water has raised no objection on capacity grounds.

One objector has raised concern over the stability of surrounding ground. In relation to this issue it is worth noting that the application was accompanied by a Coal Mining Risk Assessment Report as the site is located in an area of past mining activity. The report recommends that intrusive ground investigations are carried out to investigate ground conditions and the depth and condition of any shallow coal seams. In response to this report the Coal Authority has welcomed such precautionary measures and raises no objection towards the proposed development subject to the imposition of a condition on any planning permission granted to this effect.

With regards to the concern raised over Japanese Knotweed it is recommended that a standard condition is imposed on any planning permission granted requiring the submission of a scheme of eradication where relevant.

Finally, one objector has stated that he has seen a Badger foraging at the site. In this respect there are no ecological constraints or records relating to the application site, whilst Natural Resources Wales and the Authority's own Planning Ecologist have not raised any objection.

CONCLUSION

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

The indicative plans submitted depict that the application site can adequately accommodate two modestly sized detached dwellings with associated access, parking and amenity areas.

It is considered that there are no loss of amenity issues associated with the proposed development, whilst it is considered that the issues of concern and objection raised have adequately been addressed as part of the above appraisal. The proposed dwellings will be of a modest size and can be located an appropriate distance away from adjacent well established residential dwellings.

In accordance with Policy AH1 of the Adopted Local Development Plan, the applicant has agreed to provide a financial commuted sum contribution towards affordable housing, and this will be secured as part of the Contract of Sale. As this is an outline application only at this stage, the contribution will be levied at £58.78 per sqm of internal floorspace which is relevant contribution in this area of Burry Port.

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.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The permission now granted relates to the land defined by the 1:1250 location plan and 1:500 scale block plan received on the 18th October, 2016
- 2 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
 - a) the expiration of five years from the date of this outline planning permission;
 - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 3 Development shall not commence until detailed plans of the access; appearance; landscaping; layout; and scale of each building stated in the application, have been submitted, and received the written approval of the Local Planning Authority.
- 4 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5.0 metres from the edge of the carriageway.
- 5 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole Erw Terrace Road frontage within 2.0 metres of the near edge of the carriageway.
- 6 The access shall be hard surfaced for a minimum distance of 5.0 metres behind the nearside edge of carriageway, in materials which shall be subject to the prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.
- 7 Prior to the commencement of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the entire site frontage with the Erw Terrace Road. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.
- 8 A maximum of 1.no dwellings shall be accessed via Erw Terrace.
- 9 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented 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 parking or turning facilities is to be obstructed by non-motorised vehicles.

- 10 No building shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the site potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a period for its implementation; and
 - iii) provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 11 Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:-
- * The submission of a scheme of intrusive site investigations for approval;
 - * The undertaking of that scheme of intrusive site investigations;
 - * The submission of a report of findings arising from the intrusive site investigations, including the results of any gas monitoring;
 - * The submission of a scheme of remedial works for approval.
- Thereafter the approved scheme, including any remedial measures identified shall be implemented strictly in accordance with the detail submitted
- 12 No development shall take place, nor any demolition works or site clearance, until there has been submitted to and approved in writing by the local planning authority details of a scheme for the protection of tree T1 shown to be retained on the Tree Survey Plan and Schedule received by the Local Planning Authority on the 6th April, 2017. The approved scheme shall subsequently be implemented in strict accordance with the detail submitted.

REASONS

- 1 In the interest of visual amenity.
- 2 Required by Section 91 of the Town and Country Planning Act 1990.
- 3 In order to ensure a satisfactory layout of the site and in the interest of visual amenities.
- 4-9 In the interest of highway safety.
- 10. To secure an appropriate and sustainable form of surface water disposal.
- 11. In the interest of land stability and health and safety.

12. To protect a mature Ash tree.

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 SP17 of the LDP in that the proposed development will be served by appropriate infrastructure
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area
- It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Burry Port and accords with all other policies of the plan
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development
- It is considered that the proposal complies with Policy H2 of the LDP in that the proposed housing development is located within defined settlement limits and accords with the principles of the plan's strategy and its policies
- It is considered that the proposal complies with Policy AH1 of the LDP in that the applicant has agreed to provide a commuted sum financial contribution towards affordable housing
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance
- It is considered that the proposal complies with Policy 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

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 Any prospective purchaser(s) of the land referred to in this Planning Permission will be required in the Contract of Sale to enter into a S106 Agreement with Carmarthenshire County Council for the provision of a financial contribution towards the provision of affordable housing in the locality. The contribution will be calculated upon the basis of a payment of £58.78 per square metre of internal floor space of the dwelling proposed.
- 3 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

Application No	S/35440
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Application Type	Full Planning
Proposal & Location	RESIDENTIAL DEVELOPMENT - DEMOLITION OF EXISTING BUNGALOW & REPLACE WITH 3 BEDROOM RESIDENTIAL DWELLING AT O'KEIP, OCEAN VIEW, BURRY PORT, CARMARTHENSHIRE, SA16 0DW

Applicant(s)	MR HUW JENKINS, THE CROFT, LANGTON ROAD, LANGTON GREEN, TUMBRIDGE WELLS, TN3 0EG
Agent	PRIME ARCHITECTURE LTD - MR CELLAN JONES, UNIT 4, 3 LLANDEILO ROAD, CROSS HANDS, LLANELLI, SA14 6NA
Case Officer	Robert Davies
Ward	Pembrey
Date of validation	24/04/2017

CONSULTATIONS

Head of Transportation and Highways – No objection subject to conditions.

Head of Public Protection – No response received to date.

Land Drainage Officer – No response received to date.

Pembrey and Burry Port Town Council – No response received to date.

Local Members – County Councillor H B Shepardson and County Councillor S Matthews have not responded to date.

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

Natural Resources Wales – No objection.

The Coal Authority – No objection.

Dyfed Archaeological Trust - No objection.

Neighbours/Public – 11no. neighbouring properties consulted on the application. To date two letters of representation have been received raising the following concerns and objections:-

- The design is out of character with the area
- Loss of view
- Excessive height resulting in loss of light and overshadowing
- Overlooking from balcony
- The proposed dwelling is to be built over a dry stone wall chamber which was exposed when a new retaining wall was being built to the rear of Rock and Fountain. The structural integrity of this new retaining wall could be compromised.
- The road to the north of the application site is subsiding due to heavy traffic. The proposed development could compromise the highway retaining wall creating a health and safety hazard.
- Construction traffic parking on the surrounding road network and preventing access

RELEVANT PLANNING HISTORY

There is no relevant planning history

APPRAISAL

THE SITE

The application site consists of an existing single storey dwelling known as O’Kiep which is located at an elevated position at Y Graig in Burry Port. It appears that the property has been vacant for some time.

Planning permission was recently granted to demolish and build a new dwelling at the Rock and Fountain which is located to the immediate south of the application site. The former dwelling has been demolished and a new retaining wall has been built along the boundary with the application site in advance of work continuing on the new dwelling.

The road to the rear of the application site is at an elevated position in comparison to O’Kiep and is supported by a retaining wall located along the northern boundary of the application site.

THE PROPOSAL

The application seeks full planning permission to demolish the existing dwelling and construct a new two storey, three bedroom detached dwelling with integral garage. The proposal is of a contemporary design that has an irregular and staggered building line that responds to the site boundaries. The design makes provision for first floor living in order to take advantage of the views over towards the Gower.

The proposed vehicular access is to be gained via the existing arrangement to the east with a new driveway and off street parking area proposed in front of the integrated garage.

The proposal will to a large extent work with existing levels with a new 900mm high decorative wall proposed along the southern and western boundaries. There are no changes proposed to the northern boundary which is defined by the highway retaining wall.

The contemporary design includes a varied pallet of external materials including a mixture of stone, timber cladding and render to the walls, whilst the angled parts of the roof design will be finished in a contemporary aluminium finish. The proposed first floor living area will open out on to an external terrace located on a section of flat roof surrounded by a parapet. The proposed dwelling is approximately 19 metres in length, 12.4 metres in depth at its deepest and has a maximum height of 7.3m in height.

The submission indicates foul water will be disposed of via the main sewer whilst surface water will be directed to a soakaway located in the rear garden.

The application has been accompanied by a Design and Access Statement, Bat Report and a Site Investigation Report.

PLANNING POLICY

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

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

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

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

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

Policy GP1 of the LDP promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing.

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

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

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

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

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

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

THIRD PARTY REPRESENTATIONS

As aforementioned in this report, 2no. letters of objection have been received from neighbouring properties. The material reasons for concern and objection raised will now be addressed individually as part of this appraisal, however loss of view is not a material consideration.

The objectors opine that the design of the proposed dwelling is out of keeping with the character of the area. In this respect there is no consistent design theme in the locality, with properties at Y Graig of varying scales, designs and material pallets. Some more recent dwellings constructed have introduced more contemporary features. It is considered that the proposal provides a refreshing and welcomed contemporary design.

With regards to the height of the development and the concern over loss of light and overshadowing, as aforementioned the proposed dwelling only has a maximum height of 7.3m which is not considered excessive. The scale and massing of the proposed dwelling is broken up by different roof designs including a flat roof element which is significantly less in height. The properties to the north of the application site are located at a significantly higher level whilst the height of the proposed dwelling reduces towards the property to the south. Therefore it is considered that the proposed dwelling will not adversely affect the residential amenity of adjacent properties by virtue of loss of light or overbearance.

The owner of the Rock and Fountain to the immediate south of the proposed dwelling, which as aforementioned is currently in the process of being redeveloped has raised concern that the proposed dwelling will overlook his new dwelling primarily as a result of the proposed raised terrace. In this respect and having cross referenced with the approved scheme for the replacement dwelling at the Rock and Fountain it is apparent that the approved scheme is set back immediately adjacent to the southern boundary with the application site which is defined by the new retaining wall. As a result the approved dwelling does not have any windows on the rear elevation, and the main amenity area is to the front of the dwelling thereby obscured from view by the dwelling itself. There is a raised balcony amenity area

proposed as part of the new dwelling at the Rock and Fountain however this is located to the western side of the dwelling. As a result this balcony area will not be directly overlooked from the raised terrace associated with the current proposal, and will only be viewed at an angle.

In relation to the concerns raised over the structural integrity of the highway retaining wall and potential to cause the road above to subside, the LPA did request a Structural Engineer's report as part of the planning application process. This was subsequently received which in addition to assessing the structural implications of the proposed development on both the highway retaining wall to the north, it also provided the results of percolation tests to prove that soakaways were appropriate. During the course of the planning application also, the owner of the Rock and Fountain to the immediate south raised concern that the proposed dwelling will compromise the structural integrity of the retaining wall that he has recently built. He also drew reference to a stone wall chamber which was exposed during excavation works. The Structural Engineer was also asked to address this concern.

In relation to the existing highway retaining wall the engineer has opined that the retaining wall is probably of a cantilever design, however further investigation will be needed to confirm this. The Engineer goes on to highlight the importance of considering surcharge from the retaining wall when designing the foundation of the proposed property considering that the finished floor level within the property will be below the lower level of the retaining wall. There is adequate drainage to the front of the retaining wall.

Whilst on site carrying out the geotechnical survey, the Structural Engineer reviewed both the highway retaining wall to the rear and the newly built retaining wall to the front. Taking into consideration the proximity of the proposed building and the finished floor level to the retaining walls, the Structural Engineer would strongly recommend a raft foundation supported via frictional piles below the depth of the front retaining wall. This is in order to completely segregate the building, together with its foundation from any potential loading to either retaining walls. It will also enable the raft to be self-support via the piles into the shallow bedrock and will negate the problem of any void (mining shaft) below the raft due to it effectively being on stilts. Further analysing would be required however to ensure that this is in fact a workable solution.

The Structural Engineer's report has been considered by the Authority's Highways division, who have raised no objection towards the proposed development subject to the imposition of a condition requiring further details and calculations to ensure that the structural integrity of the highway retaining wall is not compromised. If works are required to the highway retaining wall then these will be secured via a Section 278 agreement under the Highways Act. Members will be aware that foundation design will be scrutinised in detail at any subsequent Building regulations stage also.

With regards to the stone chamber exposed during the course of excavation works for the recently built retaining wall, there is no records of what this may be exactly. The LPA has consulted the Coal Authority and Dyfed Archaeological Trust, who have raised no objection.

The final issue of concern raised relates to inconsiderate parking by construction traffic during the course of building works. In relation to this point construction work will occur on a short term basis only and any indiscriminate or illegal forms of parking on the surrounding road network will be a matter for the Police to enforce against.

CONCLUSION

The application site is located within the defined settlement limits of Burry Port as delineated within the Adopted LDP and already houses a dwelling, therefore there is no in-principle objection to developing the site for residential use.

The proposal, whilst contemporary is considered to be acceptable in size, scale and design terms and will result in a sustainable re-use of the site as the current dwelling is un-inhabited.

It is considered that there are no loss of amenity issues associated with the proposed development, whilst it is considered that 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.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
 - Existing floor plan and elevations 1:50 @ A1 (01) received 20th April, 2017
 - Proposed floor plans and elevations 1:50; 1:100 @ A1 (02) received 20th April, 2017
 - Proposed elevations 1:100 @ A1 (03) received 20th April, 2017
 - Proposed site plan 1:200 @ A3 (04) received 20th April, 2017
 - Section A-A 1:100 @ A3 (05) received 20th April, 2017
 - Block plan and location plan 1:500; 1:1250 @ A3 (06) received 20th April, 2017
 - Proposed 3D visuals NTS @ A1 (07) received 20th April, 2017
 - Section B-B 1;125 @ A3 (08) received 20th April, 2017
- 3 Prior to commencement of any part of the development herewith approved details and calculations shall be submitted to the written approval of the Local Planning Authority establishing that the integrity of the existing highway-retaining wall is not negatively affected by the proposed construction works.
4. Prior to any use of the access by vehicular traffic, a visibility splay of 2.0 metres x 13 metres shall be formed and thereafter retained in perpetuity, to the north-west side of the centre line of the access in relation to the nearer edge of carriageway. In particular, there shall at no time be any growth or obstruction above 0.9 metres.
5. 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.

6. 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. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
7. The access shall be hard surfaced for a minimum distance of 5.0 behind the nearside edge of carriageway, in materials which shall be subject to the prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.
8. The development hereby approved shall be carried out in strict accordance with the Limitations of Survey, Recommendations, Requirements and Mitigation, Notes, Method Statement sections of the Bat Report undertaken by I & G Consulting received by the Local Planning Authority on the 14th February, 2017

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity.
- 3-7 In the interest of highway safety.
- 8 In the interest of biodiversity.

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 SP17 of the LDP in that the proposed development will be served by appropriate infrastructure
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area

- It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Burry Port and accords with all other policies of the plan
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development
- It is considered that the proposal complies with Policy H2 of the LDP in that the proposed housing development is located within defined settlement limits and accords with the principles of the plan's strategy and its policies
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance
- It is considered that the proposal complies with Policy 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

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.

Mae'r dudalen hon yn wag yn fwriadol

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

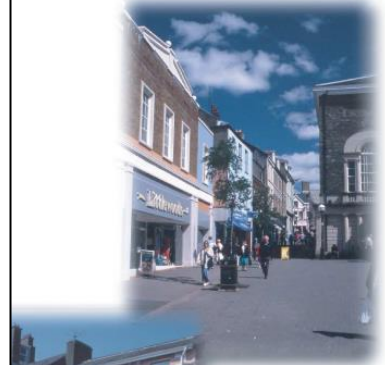
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

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

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

**AR 27 GORFFENAF 2017
ON 27 JULY 2017**

**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 yn rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	27 JULY 2017
REPORT OF:	HEAD OF PLANNING

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REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NOS.
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REF.	ADDITIONAL ITEMS FOR DECISION	PAGE NOS.
W/34736	Change of use of former chapel to camera shop. Works to include the removal of fixed pews, a large number of repairs to the existing building, the introduction of a new mezzanine floor and staircase, new internal security shutters to the ground floor windows, and the widening of an external doorway to the rear of the building at Zion Chapel, Mansel Street, Carmarthen, SA31 1QZ	81 - 84
W/34737	Change of use of former chapel to camera shop. Works to include the removal of fixed pews, a large number of repairs to the existing building, the introduction of a new mezzanine floor and staircase, new internal security shutters to the ground floor windows, and the widening of an external doorway to the rear of the building at Zion Chapel, Mansel Street, Carmarthen, SA31 1QX	85 - 88

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/35451
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE OF 4 REDUNDANT STONE BARNs TO 4 UNITS OF RESIDENTIAL ACCOMMODATION WITH ASSOCIATED GARAGES AND STORES AT PENYBONT, MEIDRIM, CARMARTHEN, SA33 5QL

Applicant(s)	MR S KIRKWOOD, HEN CAPEL MAIR, SAWMILLS LANE, ST CLEARS, CARMARTHENSHIRE, SA33 4EN
Agent	SARNAU DESIGN - CARL THORNTON, FULLERTON HOUSE, KING STREET, LAUGHARNE, SA33 4LT
Case Officer	Helen Rice
Ward	Trelech
Date of validation	26/04/2017

CONSULTATIONS

Head of Transport – No objection subject to the imposition of conditions to maintain adequate access and maintenance of the proposed car parking provision in the interests of highway safety.

Land Drainage – No objection subject to the imposition of conditions to ensure that the proposed use of soakaways to deal with surface water drainage is feasible.

Meidrim Community Council – No comments received.

Local Member – No comments were received from Cllr Jean Lewis.

Natural Resources Wales - No objection subject to the imposition of conditions to ensure that the area affected by the C2 floodzone remains free of development and that a development free buffer zone of 7m from the Afon Dewi Fawr is maintained at all times to maintain access to the watercourse for future maintenance and to protect the riparian corridor. NRW also request that conditions are imposed to ensure that the bat mitigation measures are carried out in accordance with the submitted details.

Dwr Cymru/Welsh Water – No objection subject to the imposition of conditions to ensure that no surface or land drainage enters the public sewerage network.

Dyfed Archaeology – In light of the historic reference to the buildings on the 1889 1st edition OSmap, it is recommended that a photographic record of the buildings should be undertaken by the developer prior to any works commencing.

Neighbours/Public – The application was the subject of notification by way of a site notice. No representations were received as a result.

RELEVANT PLANNING HISTORY

The site has been the subject of previous applications relating to its previous use as an active agricultural farm, and then followed by an application for the demolition of a series of more modern agricultural buildings following the cessation of the use. An application for the replacement of the remaining buildings with 8 dwellings was withdrawn in 2015 following concerns over the loss of traditional agricultural buildings. These applications are detailed below:

W/28019	Outline planning application to replace existing farm buildings with 4 no 4 bedroom and 4 no. 2 bedroom dwellings Withdrawn	23 April 2015
W/25813	Application for prior notification of proposed demolition of 2 silage clamps with asbestos roof sheets, 1 old Dutch type barn with lean-to, 2 old railway type cabins, lean to one silage clamp, dilapidated small outbuilding and stone wall Demolition notification Granted	9 January 2012
D4/7845	New agricultural access to highway and construction of midden Full planning permission	17 December 1980

APPRAISAL

This application is subject to a Section 106 Agreement

This application is presented to the Planning Committee due to Carmarthenshire County Council having an interest either as applicant/agent or in terms of land ownership.

This application is being reported to the Planning Committee as the County Council is the current owners of the land which the applicant is seeking to purchase subject to first gaining planning permission. It has therefore been determined that the County Council has a significant financial interest in the application and thus has to be determined by the Planning Committee.

THE SITE

The site is located within the settlement of Meidrim and comprises a range of redundant stone barns which once formed part of the Council owned former agricultural farm known as Penybont. The original main farmhouse has already been sold and is in separate ownership. The farm is located between the B4298 to the south (and the previous

farmhouse), the Afon Dewi Fawr to the north and existing residential properties, Danrhiw (Grade II Listed) to the east and Dewi Villa to the west. The site is in an elevated position on significantly higher ground than the Afon Dewi Fawr and the adjoining property to the east (Danrhiw). As a result, views of the site are attainable from various vantage points within the village.

There are a number of traditional stone farm buildings remaining on the site, with the majority of the utilitarian more modern buildings having been demolished under a Prior Notification application approved in January 2012. The remaining barn buildings (4 no. in total) are mainly single storey in height with some upper loft areas, finished in partly white washed stone, pitched roofs under either slate or corrugated sheeting with an a mix of window and door openings, some with red brick upper surrounds.

The majority of the site is on a slight slope, falling from the north east to the south west, which increases in steepness towards the western boundary of the site. There is a steep slope towards the north of the site as the site falls down to the Afon Dewi Fawr that is covered in woodland with mature vegetation to the eastern boundary. Access to the site is located via an existing five bar gate in the south eastern corner of the site adjoining the boundary with Danrhiw, between which is also located a Public Right of Way (recently dedicated as such) which follows the banks of the Afon Dewi Fawr and links with the village playground to the west.

A small area of the application site, adjoining the Afon Dewi Fawr is located within the C2 floodzone. However, the majority of the site, given its elevated position lies outside the floodzone. The LDP settlement boundary for Meidrim is tightly drawn around the northern extent of the existing buildings and thus excludes the woodland area between the buildings and the Afon Dewi Fawr.

THE PROPOSAL

The proposal involves the conversion of the existing stone barns into 4 dwellings, 2no. 4 bed units and 2no. 2 bed units. The submitted plans indicate that limited changes to the buildings are proposed with the conversion remaining faithful to the existing buildings through the utilisation of existing openings and windows. There will be the creation of some additional windows to improve light into the proposed new dwellings, including the insertion of velux roof lights. All new windows and doors would be timber and of a simple design (e.g. single pane/arrow slit), reflective of the traditional buildings with all roofs being finished in natural slate. The main changes to the appearance of the buildings would be the insertion of glazing, minor changes to existing openings and a few additional velux roof lights and black painted flues to serve internal heating systems.

Each barn would be provided with its own large garden area defined by a mix of low stone walls, close boarded fencing and hedgerows with the provision of a detached garage/outbuilding, providing sufficient car parking provision to each barn relative to its size, i.e. 2 bed units would have 2 parking spaces with the 4 bed units having the maximum 3 parking spaces.

Access into the site would remain as existing in terms of its position albeit improved and modified to meet the required highway dimensions and to include the provision of a footpath up to the internal turning area. Existing trees and hedgerows, especially near the modified access point will be retained and duly protected during construction works with the provision of new planting and landscaping features throughout the site as indicated on

the proposed site plan. The woodland area to the north of barns 1 and 2, and adjoining the Afon Dewi Fawr, is to be retained and managed.

The application was supported by a bat mitigation method statement which builds upon historical ecological surveys of the buildings that were carried out in 2011, 2014 and updated in 2016. These surveys identified historical bat activity within the buildings including evidence of a common pipistrelle roost in Barn 1 (2011 survey) along with the presence of a small number of day roosting Soprano Pipistrelle bats (2014 survey). The 2016 confirmed that the buildings were similar in condition to the 2014 surveys, although no evidence of roosting bats were identified within the majority of buildings, the exception being evidence of feeding remains indicative of a Brown Long Eared bat feeding perch used either by a single bat, or by a small number on an irregular basis. As a result of these survey findings the proposal includes the provision of bat mitigation in the form of appropriate construction methods and the installation of 4no. bat boxes on retained trees and 4 no. roost or bat box on Barns 1, 2 and 4.

PLANNING POLICY

This application has been considered against relevant policies of the Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP') and other relevant Welsh Government Guidance.

The majority of the application site lies within the settlement of Meidirm as defined by the LDP, with only the woodland section between the existing buildings and the watercourse lying outside of the boundary. No development is proposed within this area.

The following policies are of key relevance to the proposal:

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

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

Policy H2 Housing within Development Limits specifies that proposals for the erection of dwellings on unallocated sites within defined settlements will be permitted subject to compliance with the principle of the Plan's strategy, policies and proposals.

Policy AH1 Affordable Housing seeks to ensure that all developments that result in a net increase of open market dwellings shall provide a contribution towards affordable housing. Those developments that fall below the threshold of 5 dwellings or more are required to pay a financial contribution in the form of a commuted sum towards affordable housing provision secured by way of a legal agreement. The accompanying Supplementary Planning Guidance further explains the formula used to generate the contribution which is submarket area specific having regard to development viability.

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

Policy SP14 Protection and Enhancement of the Natural Environment requires that development should reflect the need to protect, and wherever possible enhance the County's natural environment in accordance with national guidance and legislation. **Policy EQ4 Biodiversity** states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and where exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made. Furthermore, **Policy EQ5 Corridors, Networks and Features of Distinctiveness** seeks to ensure that existing ecological networks, including wildlife corridor networks are retained and appropriately managed.

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

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

Members are advised that whilst the proposal does comprise the conversion of existing barns into dwellings, given their location within the defined settlement of Meidrim, the requirements of **Policy H5 Adaptation and re-use of rural buildings for residential use** which refers to conversions of buildings in the open countryside are not applicable.

Other Welsh Government Guidance of relevance include:

- Planning Policy Wales (8th Edition) January 2016
- Technical Advice Note 5 (TAN 5) - Nature Conservation and Planning (2009)
- Technical Advice Note 12 (TAN) 12: Design (2016)
- Technical Advice Note 15 (TAN) 15: Development and Flood Risk (2004)

THIRD PARTY REPRESENTATIONS

No responses received.

OFFICER APPRAISAL

The main considerations of relevance to this application are whether the principle of the development is acceptable, the impact of the development upon the character and appearance of the buildings and area, including the setting of the nearby listed building, the impact of the development on neighbouring amenity, biodiversity and highway safety.

Principle of development

The application site is largely included within the settlement of Meidrim where there is a general presumption in favour of development. However the woodland area to the north of barns 1 and 2 up to the application site boundary with the Afon Dewi Fawr is located outside of the settlement boundary and therefore in the countryside where there is a general presumption against unjustified development. The development does not include any development within the woodland area, which is earmarked to be retained and managed, and will largely comprise amenity areas for future owners of Barns 1 and 2. In addition, it is recommended to include appropriate conditions to control the development of this area to avoid the loss of the woodland as well as for it to remain free from development as requested by Natural Resources Wales. On this basis, the development is considered acceptable in principle subject to other material considerations.

Impact upon character and appearance

The existing buildings are prominently located in an elevated position in the centre of the village and thus contribute to the overall character and appearance of the area. This proposal seeks to reinforce that contribution through the retention of the existing buildings with limited interventions so that their overall appearance is improved yet retained. Whilst there will be changes through their use for domestic purposes and the segregation of the proposed amenity areas, it is not considered that these changes would have an unacceptable impact. The further retention of existing trees and hedgerows along with additional landscaping will also maintain and reinforce the site's existing character. The proposal is therefore considered to positively contribute to the character and appearance and would not have an unacceptable impact upon the setting of the neighbouring Grade II listed building at Danrhiw. In order to preserve the simple traditional form of the dwellings, it is considered reasonable to remove permitted development rights so that any proposals for extensions/outbuildings/changes to the barns can be formally considered.

Impact upon neighbouring amenity

The site is located adjacent to the previous farmhouse that has since been sold separately as an independent residential dwelling. Whilst the proposal would result in increased activity adjoining the property, no windows are proposed within the immediately adjoining elevations of the converted barns and boundary fencing is proposed to limit potential for overlooking or loss of privacy. To this end, it is not considered that the proposals would have an unacceptable impact upon the amenity of immediately adjoining residents with other nearby residential properties to the east and west being of a sufficient distance and different land levels to avoid unacceptable impacts upon amenity.

Biodiversity impacts

The submitted ecological surveys have identified the presence of protected species and proposed mitigation has been put forward which has not raised any objections from Natural Resources Wales subject to the imposition of appropriate conditions to ensure that the development is carried out in accordance with the submitted details. It should be noted that given the results of the ecological surveys, the conversion works will require an European Protected Species Licence application to be submitted to and approved by Natural Resources Wales prior to the commencement of development.

Similarly, the application site abuts the Afon Dewi Fawr, which is classed as a main river at this location and thus falls under NRW's responsibilities. It is for this reason that NRW has advised that a development free buffer zone of 7m measured from the top of the bank of the watercourse is maintained both to retain the biodiversity corridor and to maintain access to the watercourse. This buffer zone largely coincides with the C2 floodzone. The submitted plans do not indicate any development in this location (with the exception of the public footpath) and therefore it is not considered that the imposition of a condition to ensure that this 7m buffer zone is retained would prejudice the development.

Highway safety

The application site is already served by an existing access onto the B4298 which this proposal seeks to utilise in a modified state with the additional provision of a footway on one side to provide pedestrian access into the site. Given that the site would only serve 4 dwellings the access road does not need to be built to an adoptable standard. Discussions with the developer suggest that the access would be transferred to a management company or to the prospective owners, who will then be responsible for upkeep and management.

The Highway Authority has requested that an additional footway is provided on the opposite side of the proposed access to draw pedestrians into the site to cross rather than at the access point. Whilst this request is acknowledged, given the scale of the development and the fact that the access road does not need to be built to an adoptable standard and that this additional footway would encroach into the root protection areas of existing vegetation that is to be retained for the wider amenity of the site, that this request would present an over-engineered access into the site relative to its scale. It is not considered that, on balance, the omission of this request would have a detrimental impact upon pedestrian safety.

CONCLUSION

After careful consideration of the scheme as submitted it is considered that the proposal is an acceptable form of development that will ensure that the traditional buildings are brought back into beneficial use with limited intervention and thus their contribution to the overall character of Meidrim will be enhanced and maintained. The proposals provide substantial amenity areas and parking areas for each unit with an improved access resulting in no concerns from a highway safety perspective. The development would not have an unacceptable impact upon neighbouring amenity and biodiversity interests are to be adequately managed and mitigated subject to the imposition of appropriate conditions. The developer has confirmed acceptance to enter into a Unilateral Undertaking to secure financial contributions towards the provision of affordable housing equivalent to £77.58 per sqm of the proposed internal floorspace. The Unilateral Undertaking is awaited.

The application is therefore recommended for approval subject to the completion of the Unilateral Undertaking and the imposition of the following conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.

- 2 The development 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 Plan and Site Survey (drawing number 121/01) received 24 April 2017
 - 1:200 scale Proposed Site Plan (drawing number 121/02B) received 7 July 2017
 - 1:100 scale Barn 1 – Proposed Floor, Elevations and Sections (drawing number 121/07) received 5 April 2017
 - 1:100 scale Barn 2 – Proposed Floor, Elevations and Sections (drawing number 121/08) received 5 April 2017
 - 1:100 scale Barn 3 – Proposed Floor, Elevations and Sections (drawing number 121/09) received 5 April 2017
 - 1:100 scale Barn 4 – Proposed Floor, Elevations and Sections (drawing number 121/10) received 5 April 2017
 - Bat Mitigation Site Plan (drawing number E1672901/001) received 5 April 2017
 - Barn 1 Bat Mitigation Plan (drawing number E1672901/002) received 5 April 2017
 - Barn 2 Bat Mitigation Plan (drawing number E1672901/003) received 5 April 2017
 - Barn 4 Bat Mitigation Plan (drawing number E1672901/004) received 5 April 2017
 - Bat Method Statement by SoltysBrewster dated 6 February 2017 as updated by comments received by email from David Rees, SoltysBrewster dated 29 June 2017 and the recommendations set out in the Bat Survey Report (July 2014) by SoltysBrewster Ecology and
 - Tree Survey by David Rice Forestry dated March 2013 received 5 April 2017
 - Existing Tree Survey by Lewis Partnership (drawing reference L/1534/05) received 5 April 2017
 - Landscaping Details included in emails from Carl Thornton (Sarnau Designs) dated 5 July 2017 and 7 July 2017
- 3 No development shall take place until full surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Such details shall include infiltration tests and confirmation that sufficient attenuation for a 1 in 100 year plus climate change event can be provided. The development shall be carried out in accordance with the approved details.
- 4 No development shall take place until a photographic survey of the existing buildings has been carried out in accordance with guidance first provided by the Local Planning Authority and such photographs are submitted to the Local Planning Authority. Copies of the photographs shall also be deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust, Corner House, 6 Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AE.

- 5 No development shall take place until full details for the retention, management and maintenance of the woodland area to the north of Barns 1 and 2 has been submitted to and approved in writing by the Local Planning Authority. The Woodland Management Plan shall include details of the proposed protection of the area during construction works and future management, including management and ownership arrangements.
- 6 No development shall take place [including site vegetation clearance, demolition of existing structures, excavation, heavy machinery entering site or the on-site storage of materials] until a Tree Protection Plan [TPP] in compliance with the recommendations of BS5837 has been submitted to and agreed in writing by the Local Planning Authority. The TPP shall provide details of protective measures, operations and construction exclusion zones for all trees, large shrubs and hedges identified for retention. The approved TPP shall be fully implemented, prior to the commencement of any works associated with the development; and thereafter shall be maintained in its entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.
- 7 A development free buffer strip of 7 metres shall be provided and maintained between any development activity and the top of the bank of the adjacent watercourse known as Afon Dewi Fawr. The buffer zone shall thereafter remain free from structures, hard standings, fences or overhanging development such as balconies and shall not include domestic gardens or formal landscaping.
- 8 Prior to the first beneficial occupation of the development hereby approved, the access, visibility splays and turning area shown on the approved plans, shall be provided in full and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 9 Prior to the first beneficial occupation of the development hereby approved, the parking spaces and layout shown on the approved plans hereby approved shall be provided in full. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 10 The vehicular access into the site shall be left open, unimpeded by gates or any other barrier at all times.
- 11 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole B4298 Road frontage within 2.4 metres of the near edge of the carriageway.
- 12 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B and E other than that hereby approved, shall be carried out without the written permission of the Local Planning Authority.

- 13 The Landscape Design Scheme, as included on the Proposed Site Plan and Landscape Specification Details included in the email dated 5 and 7 July 2017 shall be fully implemented in the first available planting and seeding seasons prior to the occupation of the first dwelling hereby approved. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such an 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.
- 14 The development shall be carried out strictly in accordance with the recommendations relating to Barn Owl mitigation and the timing of works included in Section 5.7 and 5.8 of the Bat Survey Report by Soltys Brewster Ecology dated July 2014.

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 To ensure that adequate surface water drainage can be provided to avoid the exacerbation of flooding.
- 4 To obtain and maintain a record of the historic buildings in the interests of cultural heritage.
- 5 - 6 To ensure that adequate measures and arrangements are in place to secure the proposals and in the interests of biodiversity, landscaping and amenity.
- 7 To limit intervention and disturbance which may affect the biodiversity corridor and to maintain access to the watercourse.
- 8-11 In the interests of highway safety
- 12 To exert control over the future development of the properties in the interests of maintaining the overall traditional character and appearance of the buildings.
- 13 In the interests of amenity.

REASONS FOR GRANTING PLANNING PERMISSION

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

It is considered that the proposed development complies with Policies SP1, SP3, H2, AH1, GP1, SP14, EQ4, EQ5 and TR3 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the site is located within the defined settlement of Meidrim with the proposal offering an opportunity to retain a range of traditional stone former farm buildings which contribute to the overall character and appearance of the village. The proposals present a faithful conversion of the buildings that in turn would retain and enhance their existing character and contribution to the wider area and would not have an unacceptable impact upon the setting of a nearby listed building. The development would not have an unacceptable impact upon neighbouring amenity and appropriate safeguards are in place to avoid unacceptable impacts upon biodiversity interests and retention of existing landscaping. Suitable access and car parking provision proportionate to the development is included to avoid unacceptable highway safety concerns. The developer has agreed to enter into a Unilateral Undertaking to secure financial contributions towards affordable housing.

NOTES

- 1 This application is subject to a Unilateral Undertaking to secure a financial contribution towards affordable housing payable prior to the commencement of the development.
- 2 The developer is advised that public footpath 53/37 traverses the site and this permission does not allow for the obstruction or of development over the footpath. Please contact the Authority's Rights of Way Officer for further information.
- 3 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

- 4 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)

ADDITIONAL ITEMS FOR DECISION

Application No	W/34736
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE OF FORMER CHAPEL TO CAMERA SHOP. WORKS TO INCLUDE THE REMOVAL OF FIXED PEWS, A LARGE NUMBER OF REPAIRS TO THE EXISTING BUILDING, THE INTRODUCTION OF A NEW MEZZANINE FLOOR AND STAIRCASE, NEW INTERNAL SECURITY SHUTTERS TO THE GROUND FLOOR WINDOWS, AND THE WIDENING OF AN EXTERNAL DOORWAY TO THE REAR OF THE BUILDING AT ZION CHAPEL, MANSEL STREET, CARMARTHEN, SA31 1QX

Applicant(s)	CARMARTHEN CAMERA CENTRE LTD -, MATHEW WHITTAL-WILLIAMS, 1 PARCMAEN STREET, CARMARTHEN, SA31 3DP
Agent	MIKE WATT ARCHITECTS, PARC LODGE, LLANSADWRN, LLANWRDA, SA19 8LW
Case Officer	Stuart Willis
Ward	Carmarthen South
Date of validation	21/11/2016

The application was presented to the Planning Committee on 19th April 2017 where members were minded to grant the following planning permission and listed building consent, contrary to the recommendation of the Head of Planning. The listed building consent therefore needed to be referred to CADW, the Welsh Government's Historic Environment Service to confirm whether they wished to "call in" the listed building consent for determination. There was also a need to present planning conditions back to the Planning Committee in the event of the listed building consent not being called in.

Cadw have now responded stating that they have concerns about a number of issues with this application. The Design & Access Statement does not explain the positives and negatives of the proposal, nor does it outline the rationale for choosing the proposal as set out in the application. While structural works are proposed, there seems to be no structural report accompanying the application recommending how best to undertake the proposed works with minimal intervention. Similarly, while there is a schedule of work, the drawings submitted have little in the way of annotation associated to the proposed works, for example, explaining the materials to be used, protection works, method statements associated to new works etc. Details of the proposed Mezzanine Floor and its

access stairs has little detailed information as to how it will fit within the existing historic structure. Furthermore, there is no explanation as to why the historic elements of the building are being removed, or how they may be re-located/re-used. For example, pews, decorative panels etc. and how the new material will fit within the building as contemporary work. These issues are fundamental to the consideration of any application for listed building consent.

They recommended that the Authority seek to impose suitability worded conditions to ensure that the proposals are undertaken as sympathetically as possible thereby having special regard to the desirability of preserving the building and any features of special architectural interest which it possesses, and the desirability of preserving or enhancing the character or appearance of the conservation area as required by the Planning (Listed Buildings and Conservation Areas) Act 1990

In conclusion despite the concerns raised they have considered the proposals as shown need not be referred to the Welsh Government. They therefore confirmed that it is now for the Authority to determine the application.

It is not felt that some of the matters raised cannot be covered by planning conditions. Below are list of conditions which are considered suitable.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents :
 - 1:100 scale Proposed Section A-A and B-B (P04 Rev B)
 - 1:50 scale Proposed Detailed Section B-B (P05 Rev B)
 - 1:100 scale Proposed Ground Floor Plan (P02 Rev B)
 - 1:100 scale Mezzanine Plan (P03 Rev B)
 - Design and Access Statement – Revision D

received 27th February 2017

- 1:100 scale Proposed South East and North West Elevations (P06 – Rev B)
- 1:100 scale Proposed South West Elevation (P07B)
- 1:20 scale Proposed Stair Detail (P14)

received 22nd February 2017

- 1:100 scale Proposed Signage Site Plan and Indicative Elevation
- 1:10 Proposed Signboard Details
- 1:200 scale Site Plan (P01 Rev B)

received 25th November 2017

- 1:100 scale Proposed South East and North West Elevations (P06 Rev A)
- 1:100 scale Proposed North East Elevation (P08 Rev A)

received on 21st November 2017

- 1:1250 scale Location Plan
- 1:10 scale Proposed Timber Shutter Detail – Open (P09)
- 1:10 scale Proposed Timber Shutter Detail – Closed (P10)
- Schedule of Repairs

received 11th November 2017

- 3 The parking spaces and layout shown on the 1:200 scale Site Plan (P01 Rev B) received 25th November 2017 herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of staff parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 4 Development shall not begin until a photographic survey of the existing building has been carried out in accordance with guidelines provided by the Local Planning Authority's archaeological advisors – The Dyfed Archaeological Trust- Development Management. The resulting photographs should be approved by the planning authority prior to the commencement of development and deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust, Corner House, 6 Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AE, (Tel 01558-823121).

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3 In the interest of highways safety.
- 4 To retain a record of the building.

REASONS FOR GRANTING PLANNING PERMISSION

In having special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, as required by the statutory duty under section 16 (2) & 66 (1) & 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority finds that any harm being caused the proposals without development it could result in another building falling into disrepair. It was considered the application should be approved under policies EQ8, RT1, TR3 and SP8 of the Carmarthenshire Local Development Plan in addition to the national policies cited above

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).
- Please see the relevant response from the Head of Transport and refer to the recommendations and advice contained therein.
 - Please see the relevant response from Planning Ecology and refer to the recommendations and advice regarding British Bat species contained therein.

Application No	W/34737
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Application Type	Listed Building
Proposal & Location	CHANGE OF USE OF FORMER CHAPEL TO CAMERA SHOP. WORKS TO INCLUDE THE REMOVAL OF FIXED PEWS, A LARGE NUMBER OF REPAIRS TO THE EXISTING BUILDING, THE INTRODUCTION OF A NEW MEZZANINE FLOOR AND STAIRCASE, NEW INTERNAL SECURITY SHUTTERS TO THE GROUND FLOOR WINDOWS, AND THE WIDENING OF AN EXTERNAL DOORWAY TO THE REAR OF THE BUILDING AT ZION CHAPEL, MANSEL STREET, CARMARTHEN, SA31 1QX

Applicant(s)	CARMARTHEN CAMERA CENTRE LTD -, MATHEW WHITTAL-WILLIAMS, 1 PARCMAEN STREET, CARMARTHEN, SA31 3DP
Agent	MIKE WATT ARCHITECTS, PARC LODGE, LLANSADWRN, LLANWRDA, SA19 8LW
Case Officer	Stuart Willis
Ward	Carmarthen South
Date of validation	21/11/2016

The application was presented to the Planning Committee on 19th April 2017 where members were minded to grant the following planning permission and listed building consent, contrary to the recommendation of the Head of Planning. The listed building consent therefore needed to be referred to CADW, the Welsh Government's Historic Environment Service to confirm whether they wished to "call in" the listed building consent for determination. There was also a need to present planning conditions back to the Planning Committee in the event of the listed building consent not being called in.

Cadw have now responded with the stating that they have concerns about a number of issues with this application. The Design & Access Statement does not explain the positives and negatives of the proposal, nor does it outline the rationale for choosing the proposal as set out in the application. While structural works are proposed, there seems to be no structural report accompanying the application recommending how best to undertake the proposed works with minimal intervention. Similarly, while there is a schedule of work, the drawings submitted have little in the way of annotation associated to the proposed works, for example, explaining the materials to be used, protection works, method statements associated to new works etc. Details of the proposed Mezzanine Floor and its

access stairs has little detailed information as to how it will fit within the existing historic structure. Furthermore, there is no explanation as to why the historic elements of the building are being removed, or how they may be re-located/re-used. For example, pews, decorative panels etc. and how the new material will fit within the building as contemporary work. These issues are fundamental to the consideration of any application for listed building consent.

They recommended that the Authority seek to impose suitability worded conditions to ensure that the proposals are undertaken as sympathetically as possible thereby having special regard to the desirability of preserving the building and any features of special architectural interest which it possesses, and the desirability of preserving or enhancing the character or appearance of the conservation area as required by the Planning (Listed Buildings and Conservation Areas) Act 1990

In conclusion despite the concerns raised they have considered the proposals as shown need not be referred to the Welsh Government. They therefore confirmed that it is now for the Authority to determine the application.

It is felt that some of the matters raised cannot be covered by planning conditions. Below are list of conditions which are considered suitable.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents:

- 1:100 scale Proposed Section A-A and B-B (P04 Rev B)
- 1:50 scale Proposed Detailed Section B-B (P05 Rev B)
- 1:100 scale Proposed Ground Floor Plan (P02 Rev B)
- 1:100 scale Mezzanine Plan (P03 Rev B)
- Design and Access Statement – Revision D

received 27th February 2017

- 1:100 scale Proposed South East and North West Elevations (P06 – Rev B)
- 1:100 scale Proposed South West Elevation (P07B)
- 1:20 scale Proposed Stair Detail (P14)

received 22nd February 2017

- 1:100 scale Proposed Signage Site Plan and Indicative Elevation
- 1:10 Proposed Signboard Details
- 1:200 scale Site Plan (P01 Rev B)

received 25th November 2017

- 1:100 scale Proposed South East and North West Elevations (P06 Rev A)
- 1:100 scale Proposed North East Elevation (P08 Rev A)

received on 21st November 2017

- 1:1250 scale Location Plan
- 1:10 scale Proposed Timber Shutter Detail – Open (P09)
- 1:10 scale Proposed Timber Shutter Detail – Closed (P10)
- Schedule of Repairs

received 11th November 2017

- 3 Repairs shall be undertaken on a strictly like-for-like basis using traditional methods and materials. If further investigation highlights that where it was originally proposed to repair it is not now possible to repair and works other than repair is proposed i.e. replacement is an example. Then a fully detailed condition report with photographs shall be submitted to the Local Planning Authority for an assessment. The report shall highlight the associated and extent of the problems what consideration has been given to repair, why it is not possible to repair before works other repair are proposed. No work shall commence on works other than repair (unless approved in the drawings) until written confirmation has been given by the Local Planning Authority in writing that those works are acceptable.
- 4 Where structural alterations are proposed a structural report shall be submitted to the Local Planning Authority for assessment. The report shall highlight that the proposals are feasible, that there would no stringent of methods of strengthening are required and there would be no undesirable effect on the structure. No works shall commence on structural alterations until written confirmation has been given by the Local Planning Authority that those works are acceptable.

REASONS

- 1 To comply with Section 18 of The Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3-4 To have special regard to the desirability of preserving the building in respect of Section 16 (2) & 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

REASONS FOR GRANTING PLANNING PERMISSION

In having special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, as required by the statutory duty under section 16 (2) & 66 (1) & 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority finds that any harm being caused the proposals without development it could result in another building falling into disrepair. It was considered the application should be approved under policies EQ8, RT1, TR3 and SP8 of the Carmarthenshire Local Development Plan in addition to the national policies cited above

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).

Dydd Mawrth, 13 Mehefin 2017

YN BRESENNOL: Y Cyngorydd A. Lenny (Cadeirydd)

Y Cynghorwyr:

J.E. Williams, J.M. Charles, I.W. Davies, J.A. Davies, M.J.A. Lewis, K. Madge,
W.T. Evans, J.K. Howell, J.D. James, H.I. Jones, G.B. Thomas, S.M. Allen, A.C.J. Jones,
K. Lloyd, D. Jones and L.R. Bowen

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

L. Quelch, Y Pennaeth Cynllunio
S. Murphy, Uwch-gyfreithiwr
J. Thomas, Uwch Swyddog Rheoli Datblygu (y De)
K. Thomas, Swyddog Gwasanaethau Democrataidd

Y Siambr, Neuadd y Sir - 11.00 am - 12.00 pm

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr P. Edwards, J. Gilasbey a L. Roberts

2. DATGAN BUDDIANNAU PERSONOL

Y Cyngorydd	Rhif y Cofnod	Y Math o Fuddiant
W. T. Evans	3 – Cais Cynllunio S/35086 – Cynllun Amgen ar gyfer un breswylfa (ailgyflwyno cais S/34809 – GWRTHODWYD ar 06/01/2017) ar lain o dir ger 15 Heol Ddu, Pen y Mynydd, Trimsaran, SA15 4RN	Bu'n aelod o Gyngor Cymuned Trimsaran ond nid oedd wedi cymryd unrhyw ran pan fu i'r awdurdod hwnnw ystyried y cais
K. Broom	3 – Cais Cynllunio S/35086 – Cynllun Amgen ar gyfer un breswylfa (ailgyflwyno cais S/34809 – GWRTHODWYD ar 06/01/2017) ar lain o dir ger 15 Heol Ddu, Pen y Mynydd, Trimsaran, SA15 4RN	Mae'n aelod o Gyngor Cymuned Trimsaran ond nid oedd wedi cymryd unrhyw ran pan fu i'r awdurdod hwnnw ystyried y cais

3. S/35086 - CYNLLUN AMGEN AR GYFER UN BRESWYLFA (AIL-GYFLWYNO CAIS S/34809 - GWRTHODWYD AR 06/01/2017) AR IAIN GER 15 HEOL DDU, PEN -Y-MYNYDD, TRIMSARAN, SA15 4RN

(NODER: Roedd y Cynghorwyr W.T. Evans a K. Broom wedi datgan buddiant yn y cais hwn yn gynharach)

Cyfeiriodd yr Uwch-swyddog Rheoli Datblygu (Rhanbarth y De) at ymweliad preifat y Pwyllgor â'r safle'n gynharach y diwrnod hwnnw (gweler cofnod 3.1 o gyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 1 Mehefin 2017) a drefnwyd er mwyn rhoi cyfle hefyd i'r Aelodau newydd, a benodwyd i'r Pwyllgor yn dilyn yr etholiadau llywodraeth leol, fwrw golwg ar y safle fel y gwnaeth y pwyllgor blaenorol ar 19 Ebrill 2017.

Dywedodd fod y Pwyllgor, yn y cyfarfod ar 19 Ebrill, wedi penderfynu gohirio'r cais er mwyn gallu trafod â'r ymgeiswyr ynglŷn â'r posibilrwydd o osod ffenestri sefydlog yn lle'r ffenestri Ffrengig/Balconïau Juliette yn y cefn ar y llawr cyntaf er mwyn atal mynediad i'r estyniad to fflat. Roedd hyn yn dilyn pryderon gan wrthwynebwyr y byddai to fflat yr estyniad yn cael ei ddefnyddio fel teras. Cafwyd cytundeb yn hynny o beth, ond roedd yn amodol ar sicrhau bod modd agor y ffenestri at ddibenion awyru ac i ddianc mewn argyfwng, yn unol â'r rheoliadau adeiladu, yn ogystal â gweithredu amodau 4 a 5 yn yr adroddiad, gan atal mynediad i'r to. Pe bai'r amodau hyn yn cael eu tramgwyddo ar unrhyw adeg, cymerir camau gorfodi ar unwaith.

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 ôl-weithredol, crynodeb o'r ymatebion a gafwyd i'r ymgynghoriad a gwybodaeth am y polisiâu lleol a chenedlaethol a oedd yn berthnasol wrth asesu'r cais. Rhoddwyd gwybod i'r Pwyllgor fod y Pennaeth Cynllunio yn argymhell cymeradwyo'r cais am y rhesymau a nodwyd yn ei hadroddiad ysgrifenedig.

Cafwyd sylwadau a wrthwynebai'r cais ôl-weithredol ac a oedd yn ailbwysleisio'r pwyntiau y manylwyd arnynt yn adroddiad y Pennaeth Cynllunio, gan gynnwys y pwyntiau canlynol:-

- O ran y cynnig i newid y ffenestri Ffrengig, mynegwyd y farn y gellid dal cael mynediad i'r to drwy wneud newidiadau bach iawn i'r ffenestri. Ceisiwyd cael sicrwydd, felly, na roddid byth caniatâd i fynediad o'r fath ac y byddai amodau priodol yn cael eu gosod, gan hynny, ar unrhyw ganiatâd. Ystyrid bod yr amod hwnnw'n angenrheidiol oherwydd byddai modd cerdded ar y gorchudd a gynigir ar gyfer y to.
- Roedd yr estyniad ar y llawr gwaelod, a godwyd heb ganiatâd cynllunio ac sy'n mesur 4.3m x 5m x 9m, yn cael ei ystyried yn ormesol ac ystyrid y byddai'n cael effaith ar amwynder y tai preswyl cyfagos. Byddai'r effaith honno'n waeth pe bai modd cael mynediad i'r to.
- Mynegwyd pryderon ynghylch y posibilrwydd y byddai rhagor o geisiadau ôl-weithredol yn cael eu cyflwyno yn y dyfodol o ran defnyddio'r to fflat fel teras a defnyddio'r padog.
- Gofynnwyd i'r Pwyllgor osod amod ar unrhyw ganiatâd cynllunio i atal mynediad i do'r estyniad ar y llawr cyntaf.

Dywedodd yr Uwch-gyfreithiwr Cynorthwyol wrth y Pwyllgor y rhoddid y cyfle, yn unol â phrotocol, i'r ymgeiswyr ymateb i'r materion cynllunio a fynegwyd gan y gwrthwynebwyr, a'u bod wedi gofyn am gael rhoi gwybod i'r Pwyllgor, yn breifat, ynghylch materion personol a sensitif sy'n berthnasol i'w cais. Pe bai'r Pwyllgor yn cymeradwyo'r cais hwnnw, byddai angen iddo benderfynu'n ffurfiol i orchymyn i'r

cyhoedd a'r wasg adael y cyfarfod ac atal y gwe-ddarllediad. Wedi hynny, byddai'r cyfarfod yn ailymgynnull ar ffurf sesiwn agored i'r cyhoedd er mwyn clywed ymateb yr apelydd i'r materion a fynegwyd gan y gwrthwynebwyr.

PENDERFYNWYD, yn unol â Deddf Llywodraeth Leol 1972, fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) 2007, orchymyn i'r cyhoedd adael y cyfarfod yn rhinwedd Paragraff 12 o Ran 4 o Atodlen 12A i'r Ddeddf, er mwyn i'r ymgeiswyr roi gwybod i'r Pwyllgor ynghylch materion personol a sensitif sy'n berthnasol i'w cais.

Yn sgil gweithredu'r prawf budd y cyhoedd PENDERFYNWYD, yn unol â'r Ddeddf y cyfeiriwyd ati uchod, ystyried y mater hwn yn breifat gan orchymyn i'r cyhoedd adael y cyfarfod, oherwydd roedd y budd i'r cyhoedd o ran cynnal yr eithriad yn drech na'r budd i'r cyhoedd o ran datgelu'r wybodaeth.

Yn sgil cyflwyno sylwadau'r apelydd:

PENDERFYNODD y Pwyllgor ymhellach y dylid ailymgynnull y cyfarfod ar ffurf sesiwn agored i'r cyhoedd i ystyried y cais

Cafwyd sylwadau a gefnogai'r cais am y rhesymau canlynol:

- Nid oedd dim gwrthwynebiadau wedi dod i law ynghylch y cais cynllunio gwreiddiol i godi eiddo ar y llain.
- roedd y cynigion gwreiddiol i ddefnyddio to'r estyniad ar lawr cyntaf yr eiddo wedi cael eu tynnu'n ôl ac nid oeddent bellach yn rhan o'r cais.
- gosodwyd ffenestri yn lle'r ffenestri Ffrengig/balconïau Juliette yn y cefn ar lawr cyntaf y prif dŷ, a fyddai'n cydymffurfio â'r rheoliadau adeiladu.
- nid ystyrid bod yr estyniad yn ormesol.
- byddai'r estyniad i'r ardd gefn yn cyd-fynd â'r terfyn presennol y tu cefn i'r eiddo cyfagos – rhif 17.
- gofynnwyd i'r Pwyllgor gymeradwyo'r cais yn unol ag argymhelliad y Pennaeth Cynllunio.

PENDERFYNWYD YN UNFRYDOL ganiatáu cais cynllunio S/35086, yn amodol ar yr amodau y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio

CADEIRYDD

DYDDIAD

Mae'r dudalen hon yn wag yn fwriadol