

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 7 AWST 2018  
ON 7 AUGUST 2018**

**I'W BENDERFYNU/  
FOR DECISION**

***Ardal De/  
Area South***



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

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

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>07 AUGUST 2018</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>S/36302</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	RETENTION OF MIXED USE OF AGRICULTURE AND AIR RIFLE SHOOTING RANGE, WITH ENGINEERING WORKS TO RAISE LEVELS WITH INERT MATERIAL FOR PASTURE IMPROVEMENT, AND FOR THE SITING OF TWO TIMBER OUTBUILDINGS FOR USE AS A SMALL IMPLEMENT STORE AND AIR RIFLE SHOOTING HIDE AT GELLI HWAID, LLANNON, LLANELLI, SA14 8JW

<b>Applicant(s)</b>	MR & MRS T. & C. LEWIS, GELLI HWAID, LLWYNTEG, LLANNON, LLANELLI, SA14 8JW
<b>Agent</b>	JCR PLANNING LTD - RICHARD BANKS, UNIT 2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llannon
<b>Date of validation</b>	24/05/2018

## CONSULTATION

**Head of Highways and Transport** – Had concerns over a commercial proposal, however has no observations with regards to a private domestic proposal.

**Llannon Community Council** – Has not commented to date.

**Local Member** - County Councillor E Dole has not commented to date, County Councillor D Jones is a member of Planning Committee and has not made prior comment.

**Neighbours/Public** – The application has been advertised by posting of 2No. Site Notices, with 3No. objections from neighbouring properties having been received as a result raising the following issues:-

- Concern over origin of fill material;
- Potential contamination;
- Environmental impact;
  - Impact on protected birds, dormice, marsh fritillary etc.;
  - Damage to peat bog;
  - Flooding due to compression of peat bog;

- Infilling existing watercourse;
- Loss of amenity – noise;
- Conflict with grazing neighbouring land;
- Traffic generation;
- Shooting range may have live targets – insufficient details given;
- Safety;
- No planning was granted for the residential unit (now lawful);
- No planning for fishing lakes;
- Signage suggests commercial rifle range.

## **RELEVANT PLANNING HISTORY**

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

S/35736	Lawful development certificate for existing use as building as a dwelling house, together with construction of an ancillary side extension CLEUD - Approval	17 August 2017
S/22239	Conversion of an industrial stores building into a residential dwelling including a single storey kitchen extension. Change of use from industrial to residential use Full planning refused	15 February 2010
S/20246	Change of use of forestry storage building to residential dwelling and proposed extension Full planning refused	23 December 2008
S/17388	Dwelling house Outline planning refused	15 November 2007
D5/14269	Storage building Full planning permission	31 March 1994

## **APPRAISAL**

### **THE SITE**

The application site is a 0.39ha parcel of land approximately 1km to the East of Llannon. The site is an irregular shape and has been subject to unauthorised tipping of material.

The larger site to which it is associated has been subject to engineering works to form two fishing ponds and these are advertised as commercial fisheries. The ponds are unauthorised and the commercial use is subject to separate enforcement investigation.

The site is a former forestry which had permission for a forestry building in 1994, and subsequent applications for a dwelling and change of use to residential were refused in 2007, 2008 and 2010. The applicant however moved into the building without permission, and a certificate of lawfulness was approved in 2017 as the building had been occupied for more than 4 years.

## **THE PROPOSAL**

The application seeks full retrospective planning permission to retain an area of tipped material and change the use of part of it to an air rifle range.

The application further proposes the retention of a 7.462m by 3m wooden shooting hide and a 3.768m by 3.410m wooden storage shed.

The applicant has stated that the air rifle range is for private domestic purposes only and it is not intended as a commercial operation.

The tipped material amounts to approximately 0.8m depth of material which is said to be for agricultural improvement works to form a paddock as the site was previously wet and therefore not suitable for grazing.

## **PLANNING POLICY**

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

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

Policy SP2 Climate Change states that development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. This includes minimisation of waste, displays efficient use of resources, minimises the need to travel, minimises flood risk and is energy efficient.

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

Policy EQ4 Biodiversity provides general protection for species and habitats of biodiversity and conservation importance. Proposals which impact negatively will not be permitted unless there is satisfactory mitigation to include net enhancement or where, exceptionally, the reasons for the development outweigh the need to safeguard the site and where alternative habitat provision is made to enhance biodiversity.

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

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 and TAN12 provides design guidance.

## **THIRD PARTY REPRESENTATIONS**

There is concern over the origin of the fill material with the potential for contamination of the peat environment occurring from the material. It is noted, however that the applicant had the necessary permits from Natural Resources Wales for the tipping. This is controlled through other legislation, and the same body who issued the permit is responsible for

environmental and hydrological controls. The source of material needs to be recorded under the permitting regime. NRW does not object to the proposal, however suggested that the County ecologist carefully considers the species mix of the grass seeds.

The deposition of material would have an environmental impact, however it is being turned into a pasture and the species mix of grass has been defined. The site has no statutory designation and the County ecologist had no in principle objection subject to further detail being submitted. It is noted that this area is under the power lines and was not subject to the commercial crop but was effectively surrounded by the commercial planting.

There is concern over potential damage to a peat bog, however as stated above, the site was surrounded by commercial forestry and is not subject to any formal designation.

There is wet woodland to the east of the tipped material but no indication of a water course having been infilled. The forestry to the west and south would have had drainage ditches and OS mapping shows a network of watercourses in the general area, however none are shown crossing the site.

There is concern over loss of amenity in the form of noise from the rifle range. The head of public protection has assessed the proposal and has no objection subject to appropriate conditions. It is noted that it is possible to have silencers for air rifles and this is the only form of firearm that will be allowed on the site.

Conflict with grazing neighbouring land is not a material planning consideration. If approved, the range will be restricted to silenced air rifles which would not produce unacceptable levels of noise.

Traffic generation is not material as the proposal is for private domestic purposes only so there would be no visitors.

The type of target is not a material planning condition. If live targets are proposed, this is a matter for animal health.

Safety would be a private matter as it is not proposed for trade or commercial purposes. Health and safety requirements would be material if it was open to the public.

Planning permission was granted for a forestry storage building in 1994. No planning permission was granted for the residential use of the building despite attempts in 2008 and 2010. However, the applicants took up residence without permission and it is now lawful through the passage of time. This was confirmed by the granting of a certificate of lawfulness in 2017.

There is no planning permission for the commercial fishing lakes. This is subject to separate enforcement action as the use has not been there long enough for them to be lawful.

Signage was erected which suggests a commercial rifle range, however this has since been removed. The applicant has stated that it is for private purposes only and not for commercial purposes, so is being considered on this basis.



## CONCLUSION

After careful consideration of the site and surrounding environs, in the context of the proposal, it is considered that the site is outside the settlement development limits of Llannon. The tipping of material was unauthorised, however it has settled and is in the process of grassing over. The land was not a protected site, and the removal would now cause environmental damage without significant benefit. The applicant seeks to use the site for agricultural purposes and the tipping is said to be for agricultural improvements given the wet nature of the site previously.

The use of part of the site as a private rifle range is not likely to cause unacceptable harm to third parties. There was concern over a commercial use, however for private domestic purposes, the use is not likely to be harmful. The signs indicating a commercial use had been removed shortly after erection and the standard and nature of the targets does not indicate a professional operation so are clearly private.

The use of the site for commercial purposes would not be appropriate given the poor highway access, however the retention of the material and the use as a private domestic air rifle range is not likely to cause detriment to third parties. Therefore on balance, the proposal is considered to be acceptable and in accordance with the above policies.

## RECOMMENDATION – APPROVAL

### CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 24 May 2018.
- 2 The development hereby permitted is defined on the following schedule of plans:-
  - 1:100 scale Air Rifle Shooting Hide ~ Plans and Elevations. Drawing No. GH001 dated 18 October 2017;
  - 1:100 scale Small Implements Shed ~ Plans and Elevations. Drawing No. GH002 dated 18 October 2018;
  - 1:250 & 1:2500 scale Location, Block Plan and Sections. Drawing No. LT/RB/0018B dated 17 May 2018.
- 3 The air rifle range shall be used for private domestic purposes only and not for any trade or commercial purposes.
- 4 The use hereby permitted shall be for the use of silenced air rifles only. No other type of rifle shall be permitted to be used at the proposed development.
- 5 The use hereby permitted shall not operate other than between the hours of **10:00** and **17:00**.
- 6 The grass seed planting as specified on the amended 1:250 scale plan dated 17 May 2018 shall be carried out within the first planting season following the grant of planning permission.

## REASONS

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2 In the interests of visual amenity.
- 3-5 To protect the amenities of third parties.
- 6 In the interests 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.

- The proposed development complies with Policy SP1 & GP1 of the LDP in that it not likely to have an unacceptable adverse impact on third parties or the character and appearance of the countryside outside settlement limits.
- The proposed development complies with Policies TR2 & TR3 in that the proposal is not likely to be detrimental to highway safety.

## NOTES

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

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

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

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

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

<b>Application No</b>	<b>S/37357</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED SIDE 2 STOREY BEDROOM EXTENSION AND REAR SINGLE STOREY KITCHEN EXTENSION AT 107 HILL TOP, LLANELLI, SA14 8DB

<b>Applicant(s)</b>	P GREEN, 107, HILL TOP, LLANELLI, SA14 8DB
<b>Agent</b>	PGMDESIGNS LTD - PINO MAIELLO, 23 QUEEN MARYS WALK, LLANELLI, SA15 1PG
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Swiss Valley
<b>Date of validation</b>	08/06/2018

## CONSULTATIONS

**Head of Waste and Environmental Services (Land Drainage)** – Has raised no objection to the application.

**Llanelli Rural Council** – Has raised no objection to the application provided that:-

- the drainage from the additional development does not increase the hydraulic load on the public sewer.
- there is no detrimental impact upon the amenity and privacy of neighbouring properties.

**Local Member** – County Councillor Giles Morgan has not commented on the application to date.

**Dwr Cymru/Welsh Water** – Has raised no objection to the application.

**Neighbours/Public** – The two neighbouring properties either side of the application property have been consulted on the application. In response, letters of objection have been received from the occupiers of both properties which raise the following issues of concerns:-

- Potential loss of light to a bedroom and hallway window of an adjacent property as a result of the proposed side extension.

- Concerns that the proposal will exacerbate existing surface water flooding problems within a neighbouring property.

## **RELEVANT PLANNING HISTORY**

There is no relevant planning history on the application site.

## **APPRAISAL**

### **THE SITE**

The application site consists of the curtilage of a detached two storey house located in the Hill Top estate in Swiss Valley. The rear of the property is characterised by a flat roof single storey extension and conservatory which overlook a paved and landscaped garden. The property has the benefit of a front driveway which extends down to the side of the house. The house has a rendered finish and the surrounding estate consists of a mix of detached houses of a similar design to the application property.

### **THE PROPOSAL**

The application seeks full planning permission for a two storey extension to the side of the house and a single storey extension to the rear. The side extension is to project to a width of 2.8 metres and will extend up to the boundary shared with the neighbouring property. It is to include an integral garage and utility room on the ground floor with an en-suite bedroom on the first floor. The rear extension is to project to a depth of 3.3 metres and will extend to the full width of the house. It is to have a lean-to roof and will provide a new kitchen and family area at the rear of the house.

The front and rear elevations of the extension are to consist of a rendered finish to match that of the existing house while the side elevation will consist of facing brick. The roofs are to be clad with matching roof tiles.

## **PLANNING POLICY**

In the context of the current development control policy framework the following policies of the Carmarthenshire Local Development Plan (LDP) are of relevance to the proposal.

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. The policy also requires that development proposals should not have a significant impact on the amenity of adjacent land uses and properties.

Policy GP6 permits extensions to existing residential dwellings subject to them being subordinate and compatible to the size, type and character of the existing development, not resulting in the overdevelopment of the site, or leading to reduced and inadequate areas of parking, utility, vehicle turning, amenity or garden space. The external appearance of extensions should also complement the existing development and proposals should not adversely affect the local environment and amenities of neighbouring developments.

### **THIRD PARTY REPRESENTATIONS**

Letters of objection have been received from the residents of both neighbouring properties either side of the application property which raise a number of issues of concern.

The occupiers of the neighbouring property located adjacent to the proposed two storey side extension have opined that it will reduce the level of light to their first floor bedroom and hallway given that the front of the extension will be forward of the existing windows serving these rooms. The bedroom window is recessed back behind the front of the main house while the hallway window is located in the side elevation of the main house and faces the application property.

The front elevation of the new side extension will be set back behind that of the main dwelling to provide a subordinate appearance while being almost in line with the front elevation of the respondent's house. Although the respondent's bedroom and hallway windows will be recessed behind the front of the new side extension, its modest scale and separating distance to the windows, combined with the lower level of the application property, will safeguard against any unacceptable impacts by way of loss of light or overbearance.

The second respondent occupies the neighbouring property located to the south eastern side of the application property which is set at a slightly lower level. The respondent refers to previous surface water flooding problems within her property and raises concerns that the proposal may exacerbate these. The roof water from the new extensions is to be disposed of to an existing private surface water sewer that crosses the property and also serves other neighbouring properties including that of the respondent. The Authority's Land Drainage Officer has advised that whilst there have been localised issues with a defective surface pipe in the respondents' property, he is satisfied that adequate capacity exists in the system to accommodate the additional flows from the roofs of the new extensions without causing any unacceptable impact by way of surface water flooding.

The proposal is therefore considered to be in accord with the objectives of policies GP1 and GP6 in terms of its likely impact upon the residential amenity of neighbouring occupiers.

### **CONCLUSION**

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the scale and design of the proposed extensions are considered to be acceptable and in keeping with the character and appearance of the existing property and surrounding residential area. The extensions are subordinate and compatible to the size, design and character of the host dwelling and the local amenities of adjacent occupiers will not be adversely affected by the development.

The proposal is in accord with the policies of the adopted Local Development Plan and is therefore put forward with a favourable recommendation.

### **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 works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans received on 9 July 2018:
  - 1:100, 1:500 and 1:1250 scale existing and proposed floor plans, elevations, block and location plan.
- 3 The parking spaces shown on the 1:500 block plan received on 9 July 2018 shall be provided in accordance with the details shown prior to the beneficial use of the development hereby approved.
- 4 Prior to the construction of the extension hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the extension shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 In the interests of highway safety.
- 4 In the interests of visual amenities.

## **NOTE(S)**

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

<b>Application No</b>	<b>S/37468</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	TO BUILD ONE 3/4 BED DETACHED HOUSE WITH PARKING AND TURNING AREA AT THE FRONT AT LAND PART OF 37 HEOL LLANELLI, PONTYATES, LLANELLI, SA15 5UB

<b>Applicant(s)</b>	DAVID JONES, 37 HEOL LLANELLI, PONTYATES, LLANELLI, SA15 5UB
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Glyn
<b>Date of validation</b>	29/06/2018

## CONSULTATION

Llanelli Rural Council – Has no objection.

Local Member – County Councillor T.J. Jones has not commented to date.

Neighbours – 3No. neighbouring properties were notified on receipt of the application. 2No objection has been received to date raising the following matter.

- Highway safety – given proximity to the school;
- Siting – loss of amenity if set back behind neighbouring houses.

## RELEVANT PLANNING HISTORY

The following application has been received on the application site.

S/15129	One residential house. Outline planning permission	15 March 2007
S/22490	To extend the period to allow a further three years for submission of reserved matters of planning permission S/15129 dated 15 March 2007 for one residential house Variation of Condition	1 April 2010
S/28295	Detached dwelling house Outline planning permission	16 March 2007



S/33873      Variation of Condition No. 2 of S/28295 to allow for an  
extension of time of two further years to submit  
approval of reserved matters  
Variation of Condition

30 June 2016

## **APPRAISAL**

### **THE SITE**

The application site is a rectangular shaped parcel of land fronting onto Heol Llanelli, Pontiets. The site is currently the side garden of 37 Heol Llanelli and as such is laid to lawn. A hedgerow is provided along the road frontage with Heol Llanelli.

The site slopes significantly down away from Heol Llanelli and the original house is therefore split level with a lower ground floor level to the rear.

Outline planning permission was granted for the site in 2007 and the time condition was varied in 2010 and 2016 to extend the period, however no reserved matters have been submitted to date.

### **THE PROPOSAL**

The application seeks renewal of outline permission that established the principle to develop the site for one residential dwelling with access and all other matters are reserved for future consideration.

There are no changes in circumstance since the original permission or variations were granted other than the introduction of the affordable housing contribution. A unilateral undertaking has been submitted to secure the contribution.

### **PLANNING POLICY**

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

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

Policy SP2 Climate Change states that development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. This includes minimisation of waste, displays efficient use of resources, minimises the need to travel, minimises flood risk and is energy efficient.

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

Policy AH1 Affordable Housing requires developments of less than 5 houses to provide a commuted sum based on the internal floor area of the proposed development.

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

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 and TAN12 provides design guidance.

### **THIRD PARTY REPRESENTATIONS**

Two letters of objection have been received to date expressing concern over highway safety, health and safety and parking given the fact that the proposal is opposite Pontiets School and amenity if the final proposal is set back behind the neighbouring properties.

It should be noted that the Head of Transport has been consulted and after assessing the proposal states that there is no objection to the proposal subject to the imposition of appropriate conditions. It should be noted that these concerns were expressed and considered on the last application and ultimately permission was granted. There has been no change in circumstance since that time.

The application is in outline only, so the final design is not yet known. The application seeks the approval of the principle of a dwelling with all matters reserved so the specific design and layout is not yet established. Any reserved matters application will be subject to further consultation so the final design will be under scrutiny from third parties, however the indicative layout shows the proposed house in line with the neighbouring properties.

### **CONCLUSION**

After careful consideration of the site and surrounding environs, it is considered that the site has previous outline permission and there has been no change in circumstances since the permission was previously granted other than the affordable housing contribution and need for a unilateral undertaking. Whilst there is concern over highway safety, the Head of Transport has assessed the site and has no objection subject to the imposition of appropriate conditions as set out below. The application is therefore considered to be in accordance with the above policies.

### **RECOMMENDATION – APPROVAL**

#### **CONDITIONS**

- 1 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 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 the 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 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 layout, scale, appearance and landscaping of the development have been submitted, and received the written approval of the Local Planning Authority.
- 4 Any reserved matters application shall be accompanied by cross sections and levels of the site, which should clearly detail the proposed development in relation to adjoining land and properties.
- 5 Any reserved matters application shall be accompanied by full details of proposed boundary treatment measures to be incorporated as part of the development.
- 6 The new vehicular access shall be laid out in accordance with typical layout No.3 adjacent to the eastern boundary of the site, prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 7 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5 metres from the edge of the carriageway.
- 8 There shall at no time be any growth or obstruction to visibility over 0.9m above the adjacent carriageway crown, over the site's whole B4309 Road frontage within 2.4m of the near edge of the highway.
- 9 Prior to the commencement of the 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 The access shall be hard surfaced for a minimum distance of 5.0m behind the edge of the highway, in materials that 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 therewith being brought into use.

## **REASONS**

- 1 The application is in outline only.
- 2 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 3 In the interests of visual amenity.
- 4-5 In the interests of amenity and to ensure the proposed development does not prejudice the enjoyment of neighbouring occupiers.
- 6-10 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 proposed development complies with Policy SP1 & GP1 of the LDP in that it is sensitive infilling within settlement limits, which is appropriate in scale and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.
- The proposed development complies with Policies TR2 & TR3 in that the proposal is not likely to be detrimental to highway safety.
- The proposed development complies with Policy AH1 in that the applicant has submitted a unilateral undertaking agreeing a contribution of £51.35 per square metre internal floor area towards affordable housing.

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