

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

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

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

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

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

**I'W BENDERFYNU/  
FOR DECISION**

***Ardal  
Gorllewin/  
Area West***



<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>19 MARCH 2019</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

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

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

## CONSULTATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## RELEVANT PLANNING HISTORY

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

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

## APPRAISAL

### THE SITE

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

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

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

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



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

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

## **THE PROPOSAL**

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

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

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

## **PLANNING POLICY**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Welsh Government policy and guidance includes:

Planning Policy Wales (PPW) - 10<sup>th</sup> Edition - December 2018

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

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

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

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

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

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

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

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

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

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

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

### **THIRD PARTY REPRESENTATION**

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

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

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

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

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

### **Highway Safety**

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

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

### **Visual/Landscape Impacts**

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

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

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

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

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

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

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

### **Amenity Issues**

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

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

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

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

## **Other matters**

Other matters raised in objection include:

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

## **CONCLUSION**

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

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

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

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

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

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

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

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

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

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

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

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

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

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

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

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

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

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

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



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

## **REASONS**

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

## **NOTES**

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

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

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

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

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

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

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

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

## CONSULTATIONS

**Cynwyl Elfed Community Council** - No response received to date.

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

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

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

## RELEVANT PLANNING HISTORY

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

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

## **APPRAISAL**

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

## **THE SITE**

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

## **THE PROPOSAL**

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

## **PLANNING POLICY**

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

**Policy GP1 Sustainability and High Quality Design** of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that "it conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing" and "it protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment".

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

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

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

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

## **THIRD PARTY REPRESENTATIONS**

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

## **CONCLUSION**

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

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

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

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

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

### **RECOMMENDATION – APPROVAL**

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

### **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.

### **REASONS FOR GRANTING PLANNING PERMISSION**

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

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

## NOTES

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

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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))