

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

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

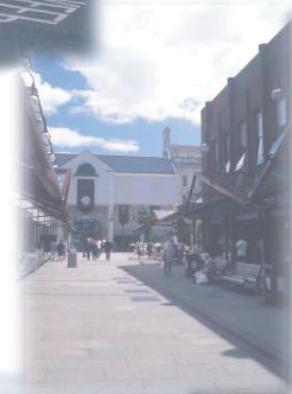
**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 17 HYDREF 2019
ON 17 OCTOBER 2019**

**I'W BENDERFYNU
FOR DECISION**

***Ardal
Gorllewin/
Area West***



**Cyngor Sir Gâr
Carmarthenshire**
County Council



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	17 OCTOBER 2019
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE
W/38125	Proposed development of 36 residential dwellings and associated works at land to the south of, Dol y Dderwen, Llangain, Carmarthenshire, SA33 5BE	36
W/38261	Removal of collapsed stone building and construction of 1 dwelling at land adj Penybont, No 1 Penybont, Llanboidy, Whitland, Carms, SA34 0EH	54
W/38262	Removal of collapsed stone building and construction of 1 dwellings at land adj Penybont, No 1 Penybont, Llanboidy, Whitland, Carms, SA34 0EH	65
W/38263	Demolition and removal of derelict agricultural buildings, and construction of new 3 bedroom dwelling at land adj Penybont, No 1 Penybont, Llanboidy, Whitland, Carms, SA34 0EH	71
W/38893	This planning application is for a low impact, sustainable horticultural development under welsh government policy tan 6, one planet development. The land is currently classified as agricultural land and the application will involve a change of use for the land or part of it to residential use at Parc Yr Odyn, Hebron, Whitland, SA34 0XT	84

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL	PAGE
W/39008	Erection of a dwelling at land at Maesyffynnon, Llangynog, SA33 5DA	109

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/38125
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Application Type	Outline
Proposal & Location	PROPOSED DEVELOPMENT OF 36 RESIDENTIAL DWELLINGS AND ASSOCIATED WORKS AT LAND TO THE SOUTH OF, DOL Y DDERWEN, LLANGAIN, CARMARTHENSHIRE, SA33 5BE

Applicant(s)	GARETH WILLIAMS, C/O AGENT, ,
Agent	ASBRI PLANNING LTD - LLINOS HALLETT, UNIT 9, OAK TREE COURT, CARDIFF GATE BUSINESS PARK, CARDIFF, CF23 8RS
Case Officer	Paul Roberts
Ward	Llansteffan
Date of validation	05/12/2018

Members will recall that the decision on this application was deferred at the Committee's recent meeting on 19 September 2019 to enable discussions to take place between the applicant, adjacent land owner and officers on a potential alternative access to the development via Church Road.

In response to the deferral, the applicant has undertaken a further assessment of the access to the development and confirmed that the Committee's suggested alternative access via Church Road will not be possible for the following reasons.

Firstly, the upgrading of Church Road to an adoptable standard to safely accommodate the additional traffic will require significant improvement works and necessitate the use of land that is outside the application boundary and the applicant's control. In addition to the required widening works, the visibility splay at the junction of Church Road with the B4312 is currently substandard and would require improvement works on land to the east and west of the access, for example, alongside the adjacent gas tanks and a number of the properties in the existing Dol y Dderwen estate, which is beyond the applicant's land ownership and control.

Secondly, the access currently proposed via the Dol y Dderwen estate is deemed to be acceptable by both the applicant's transport consultant as well as the Authority's Head of Transport.

Finally, the applicant suggests that the upgrading of Church Road would detract from the rural character of what is currently a country lane which has limited traffic movements.

On the basis of the above, the applicant wishes to proceed with the proposal as originally submitted with access to the development being achieved via the estate road of the Dol y Dderwen estate.

The recommendation for approval remains unchanged for the reasons set out in the report of the previous meeting of the Committee on the 19th September 2019 which is reproduced below for members' information.

ORIGINAL REPORT

CONSULTATIONS

Head of Highways and Transport - 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 strategy proposed.

Head of Public Protection and Housing – Has raised no objection to the application subject to the imposition of suitable conditions on any permission granted.

Llangain Community Council – Have raised no in-principle objection to the residential development of the site in that it will bring a younger element to an ageing community and assist in supporting the school, memorial hall and recreation activities in the village. They also opine that the development will support the village public house, Pantydderwen, which has recently re-opened.

Notwithstanding the above, the Council highlight that there are concerns regarding the proposed means of access to the development which include the following:

- The residents of Dol y Dderwen object to the proposed means of access to the site via their estate in that there are currently 56 dwellings on the estate with their own vehicular movements together with delivery vehicles and medical/carer vehicles as many residents are senior citizens. They therefore suggest that the estate road cannot accommodate another 70+ vehicles likely to be generated by the development.
- In leaving the existing estate, the extra traffic would use a narrow exit onto a single track road with no pavement which is currently used by residents, school traffic as well as traffic visiting the nearby memorial hall. The road is also used by large farm vehicles which bring their own dangers.
- The additional traffic would join the B4312 at Smyrna Cross Roads which is a very busy junction and vehicle speeds along the B4312 often exceed the 40mph speed limit.
- If the above concerns are accepted by the Authority, the only practical alternative would be to access the development via Church Road which is itself restricted and would need to be improved by means of widening and improvements works at its junction with the B4312.

Local Member - County Councillor C Jones has requested that the Planning Committee undertake a site visit to assess the highway and access issues associated with the development.

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

Natural Resources Wales - Have raised no objection to the application.

Public Rights of Way – Have not commented on the application to date.

Dyfed Archaeological Trust – Have not commented on the application to date.

Neighbours/Public – The application has been publicised with the posting of a number of site notices within the vicinity of the site and the publication of a notice in the local newspaper. In response, some 19 letters of representation have been received from neighbouring residents, including a local action group, all of whom raise concerns regarding the proposal. A number of respondents have indicated that they support the principle of new housing on the site subject to access concerns being addressed. The objections are summarised below:-

- The site is adjoined by a public footpath which is a significant link in the local network and should be maintained as part of the development.
- The development should result in increased road safety for all; instead it will have the opposite effect.
- The analysis of the traffic flows and speeds have been underestimated in the application.
- Turning a cul de sac into a through road will result in increased traffic and accidents.
- The current trend towards increased personal, service and delivery vehicles entering the existing estate is likely to continue resulting in parking on the pavement in the estate and the development will make this substantially worse.
- One property in the estate does not have any off street parking.
- Concerns regarding further future phases of development.
- The detrimental impact of additional traffic upon three existing junctions – B4312/School Lane, School Lane/Dol y Dderwen, internal junction in Dol y Derwen estate between nos. 32 and 40.
- No paving of the existing public rights of way.
- An access route via Church Road would provide a more direct and safer access to the development and generate less pollution and disturbance to existing residents while having better visibility. It would remove access issues relating to the safety, flow of traffic and parking in the existing estate and the owner of the field next to Church Road is prepared to undertake a 'land swap' to enable Church Road to be widened.

- The outline plan shows an emergency access via Church Road and respondents question the need for this.
- Surface water flooding from the development.
- Increased traffic in the estate would make it less safe for children to play and cycle.
- Problems with sewerage capacity.
- Change to the visual landscape.
- The need for social gain to the community such as pedestrian improvements.
- Safety effect upon the adjacent public footpath.
- The remainder of the field will become neglected and an eyesore.
- Poor visibility at the junction of School Lane with B4312.
- Impact of increased traffic upon road users and pedestrians including school children using the bus stop.
- Disturbance and pollution caused by additional traffic during and following completion of development.
- Increased traffic along Heol Smyrna which is unsuitable with no pedestrian facilities.
- There is a restrictive covenant limiting the surface water drainage from the development and the Dol y Dderwen estate to just 60 dwellings.
- Limited visibility along parts of Dol y Dderwen due to bends, service, delivery and visitor vehicles and parking.
- Parts of Dol y Dderwen would have parking restrictions as a result of the proposal.
- The application fails to provide easy access for all vehicles.
- Reducing the speed limit on the B4312 will not in itself prevent speeding along this road and the increased use of the junction as a result of the development will increase the risk of vehicle collisions.
- The additional traffic will have a detrimental effect on the quality of life of existing residents and be at odds with the objectives of Planning Policy Wales and the Well-being of Future Generations Act.
- Narrowness of the existing estate road.
- Existing on street parking will make it difficult for large vehicles such as a fire engine and refuse collection lorry to access the development.

- The area of land between the end of the existing Dol y Dderwen estate road and the application site is not in the ownership of the applicant whereby they don't have a legal right of way over this land to access the development.

RELEVANT PLANNING HISTORY

The following previous applications are of relevance to the proposal:-

D4/4214	Siting of residential development Withdrawn	15 July 1980
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APPRAISAL

This planning permission is dependent upon the developer entering into a Section 106 Agreement with Carmarthenshire County Council.

THE SITE

The application site consists of a roughly square shaped parcel of land located to the south of the Dol y Dderwen residential estate in Llangain. It covers an area of approximately 1.45 hectares and forms the eastern half of a large field enclosure that bounds the southern side of the estate. The land slopes down gently towards its northern boundary with the estate which consists of a mix of hedgerows and post and wire fencing. The estate road serving Dol y Dderwen terminates in a cul de sac on the boundary of the site.

The site has no physical western boundary separating it from the wider field enclosure whilst the eastern boundary consists of mix of hedgerow and wire fencing that runs contiguous with Church Road which extends in a southerly direction from its junction with the B4312. Similarly, the southern boundary is defined by an established hedgerow beyond which is a public right of way that provides a direct link from Church Road to School Lane to the west.

The Dol y Dderwen estate is characterised by relatively low density detached bungalows. The properties of Coedmor Avenue are located to the west of the field enclosure wherein the site is located and consist of a mix of detached bungalows and semi detached housing. The primary school, community hall and village park are located beyond Coedmor Avenue along School Lane and can be accessed from the site via the existing public right of way referred to above. There is a public house and bus stop in the village which are located a short distance from the site on School Lane and the B4312. The areas to the south and east of the site consist of open countryside.

THE PROPOSAL

The application seeks outline planning permission for the residential development of 36 dwellings on the site together with associated works. All detailed matters relating to the development have been reserved for future consideration and, as such, the application seeks to establish the principle of the development of the site.

The applicant has provided a schematic layout plan of the development for illustrative purposes to demonstrate how the site could be developed in an acceptable manner. The development is shown to be accessed via the existing Dol y Dderwen estate road that currently terminates at the northern boundary of the site. The new estate road will be to an adoptable standard having flanking footways and will form a loop within the development with a number of shared drives leading off this to a number of the dwelling units. The road layout incorporates two access points to the remainder of the field enclosure to the west as well as an emergency access onto Church Road to the east. The latter is shown to include bollard provision which will allow access in the event of an emergency and preclude access at all other times.

The units are set around the side boundaries of the site and estate road while provision is also made for a central area which will incorporate an area of public open space as well as a small number of units. The scheme is shown to comprise a mix of dwelling types which include 8 no. detached 4 bedroom bungalows, 13 no. detached 3 and 4 bedroom houses, 12 no. 2 and 3 bedroom semi-detached houses and 3 no. 3 bedroom terraced houses. It includes 11 affordable dwellings consisting of 2 and 3 bedroom semi-detached and terraced houses with these representing a 30% proportion of the overall number of units proposed. The detached bungalows are shown to be located in the northern part of the site to reflect and complement the residential context of the adjacent Dol y Dderwen estate and minimise the potential for the overlooking and overshadowing of existing properties. The density of the development will be approximately 25 units per hectare.

Parking within the scheme will consist of driveways set predominantly to the front and side of the dwellings with garages also set behind the building line. The layout will aid in reducing the visual dominance of cars which, with the provision of landscaping proposals, will provide a pleasant and attractive streetscape.

The existing hedgerows along the site's boundaries are to be retained as part of the development with, as mentioned above, new landscaping and planting frameworks being provided throughout the development layout. The finished levels of the development will be comparable with the prevailing levels of the site.

The application has been accompanied by the following supporting information certain of which are appraised below:-

- Design and Access Statement;
- Transport Statement;
- Pre-application Consultation Report;
- Drainage Strategy;
- Planning Statement;
- Ecological Appraisal.

The transport statement considers the highway impacts of the development upon the surrounding road and transport network. It estimates that the development will generate up to 19 vehicle movements in the AM peak period and 20 vehicle movements in the PM peak period which equates to 1 additional vehicle movement every 2 - 3 minutes. This additional level of traffic is envisaged to have a marginal impact upon the local highway network and will not therefore be detrimental to the free flow of traffic.

The statement acknowledges that the visibility at the existing junction of School Lane with the B4312 is currently substandard whereby it is obstructed by hedgerow growth that abuts the latter. The speed limit for vehicles travelling along the B4312 is currently 40 mph and, following discussions with the officers of the Local Highway Authority, the statement sets out the applicant's intention to reduce the speed limit to 30mph as part of the development to ensure the visibility at the junction meets the requisite standard contained in Technical Advice Note (TAN) 18: Transport (2007). This will serve to improve the current level of visibility for both existing residents and road users as well as the occupiers of the proposed development.

The statement also highlights the sustainability benefits of the development in that it is within close proximity to local amenities and existing bus services and will also provide the necessary pedestrian facilities within the scheme to encourage residents to use sustainable modes of travel.

The drainage strategy confirms that ground conditions within the site will preclude the use of soakaways for the disposal of surface water from the development while the absence of a watercourse within the vicinity of the site also prevents a discharge to the same. As a result, it sets out a strategy to dispose of surface water from the new dwellings and estate road to an existing public surface water sewer located in the Dol y Dderwen estate road which drains to a watercourse located to the north of the B4312 via a piped system. The scheme will include underground storage within the development which will include an allowance for climate change and provide an attenuated discharge into the existing system at a maximum rate of 5 litres per second.

Foul water from the development will be discharged to the existing public sewer network which is again located in the Dol y Dderwen estate.

Finally, the ecological appraisal confirms that the site consists of improved pasture which is considered to be of low ecological value. The hedgerow along the southern boundary of the site is considered to be the primary feature of ecological value which, along with the other existing boundary hedgerows, is to be retained as part of the development. The appraisal sets out a series of recommendations for ecological enhancements as part of the development which include new hedgerow and tree planting within the development as well as provision for bird and bat boxes.

Community Benefits

The applicants have agreed to enter into a Section 106 Agreement that will secure the following level of community benefits as part of the development. The precise level of contributions have been agreed following negotiations and discussions with officers of this Department as well as the relevant service providers of the Authority.

- 1 **Affordable Housing** - A total of 30% of the units proposed are to be 'affordable' which will equate to 11 dwellings. The precise type, mix and tenure of the units are to be agreed with the Authority as part of any subsequent reserved matters application.
- 2 **Play facilities/open space** – The payment of a financial contribution of £24,000 towards the improvement of the play equipment in the existing park in the village along with the provision of an area of informal open space within the development.

- 3 **Education Facilities** – The payment of a financial contribution towards the provision/improvement of educational facilities within the local primary and secondary catchment schools which will be calculated on the basis of the Authority's Supplementary Planning Guidance formula, the number of units proposed and the current capacity of the relevant catchment schools. Based upon a development of 36 units and the current capacities of the relevant catchment schools, this would equate to a contribution of £22,000.
- 4 **Highway Improvements** – The implementation of a scheme to reduce the speed limit of vehicular traffic from 40mph to 30mph along the B4312 within the vicinity of its junctions with School Lane and Heol Smyrna.

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 Llangain as defined in the adopted LDP. The site is designated as a housing allocation in the Plan and is identified as accommodating 25 dwellings under Policy H1. However, this figure is indicative for the purposes of the Plan. The remainder of the field enclosure wherein the site is located falls outside the development limits of the settlement. Llangain itself is identified as a sustainable community in the Plan under Policy SP3 (reference SC/18).

Reference is drawn to the following policies of the Plan which are of relevance to the proposal.

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 SP5 allocates sufficient land for 15,778 new dwellings within the Plan area in accordance with the Settlement Framework wherein Llangain is identified as a sustainable community (SC/18).

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 permits proposals within defined development limits subject to the 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 30% viability area.

Policy GP4 states that proposals 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 H1 allocates land for residential development for the plan period to 2021.

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.

Policy EP1 permits proposals 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 10, November 2018) provides a national overview of planning policy on a wide range of issues relevant to the proposed development.

It highlights the need to provide a range and choice of housing to respond to changes in household need and that the provision of quality housing with access to services, green spaces and community facilities helps to create the right conditions for better health and well-being. Furthermore, it advocates locating new housing within existing settlements to allow people to travel to places of employment, retailing and other community services by walking, cycling or public transport.

It also refers to the need for new housing in both urban and rural areas to include a mix of market and affordable house types, tenures and sizes to cater for a range of identified housing needs and contribute to the development of sustainable and cohesive communities. It highlights that a community's need for affordable housing must be taken into consideration in determining planning applications.

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 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

As noted above, the application has attracted considerable objection from local residents. The local community council have raised no in principle objection to the development of the site in that they suggest that it will assist in bringing younger residents to an ageing community and support local services in the village such as the school, memorial hall and public house. Notwithstanding this, they highlight local residents' concerns regarding the access to the development. The grounds of objection are appraised below.

A common ground for concern amongst respondents is that the existing highway network in the surrounding area is inadequate to safely accommodate the additional traffic generated by the development. Concerns have been raised regarding the suitability of the Dol y Dderwen estate road, School Lane and Heol Smyrna and their associated junctions to accommodate the increased traffic with many citing concerns regarding current levels of on street parking, the lack of footways as well as poor visibility. In light of these concerns, the majority of respondents suggest that the development should be accessed via Church Road to the east of the site whereby it is suggested that the road could be widened and improved to provide a safer and more direct route to the development and obviate the likely traffic impacts upon existing residents.

The Head of Highways and Transport has assessed the application and the findings of the transport statement and confirmed that he has no objection from a highway capacity or safety perspective subject to the imposition of suitable conditions. These include, amongst others, the requirement to reduce the speed limit of traffic along the B4312 within the vicinity of its junction with School Lane to ensure that the existing level of visibility for vehicles egressing onto the B4321 is improved to a level that meets the requirements of TAN 18. The speed reduction is to be secured via a Section 278 agreement between the developer and the Local Highway Authority and will need to be implemented prior to the commencement of the development. Once implemented, it will provide a highway betterment for existing residents as well as the occupiers of the new development.

The additional vehicle movements predicted by the applicant are accepted by the Head of Transport as being accurate and, in the context of the local road network, are not deemed to be of such a level that would cause unacceptable congestion or prevent the effective and safe operation of the network. In terms of pedestrian safety, the existing Dol y Dderwen estate road is constructed to an adoptable standard with footways either side whereby it provides safe pedestrian facilities for existing residents notwithstanding the likely increase in traffic. Moreover, the residents of the new development will have good pedestrian links to the bus stops in the village while also being well related to and within walking distance of existing services and facilities such as the school, public house, community hall and park.

Turning to the respondents' concerns regarding the level of on street parking in the Dol y Dderwen estate, the majority of existing properties in the estate have their own off street parking facilities. Whilst matters relating to parking within the development itself will be considered as part of any subsequent reserved matters application, nonetheless the level

of provision will need to accord with the Authority's parking standards thereby ensuring that any existing problems will not exacerbated by the development.

As to the respondents' suggested alternative access to the development via Church Road to the east of the site. The Authority is required to determine the application in its current form and in the absence of a sustainable highway objection to the proposed access via the Dol y Dderwen estate, it is not considered reasonable or necessary to consider an alternative to this. Notwithstanding this, the carriageway and junction of Church Road with the B4312 would need to be widened and improved as part of the development and the land required for the same is not in the control of the applicant.

A number of respondents have questioned the purpose and need for the emergency vehicular access from the development onto Church Road which is shown on the indicative layout plan provided with the application. Detailed matters relating to the layout and access of the development will be considered as part of any subsequent reserved matters application, however, it is noteworthy that the Head of Transport and Highways has not requested its inclusion within the scheme in responding to the application nor is it a requirement of his recommended conditions.

The proposal is therefore considered to be in compliance with Policies SP1, SP9, GP1, and TR3 of the LDP in terms of its sustainability and highway impacts upon the surrounding area.

A further common ground of objection is the effect of the proposal on the living conditions of nearby occupants due to noise, disturbance and pollution both during and following the completion of the development. It is acknowledged that there will be disruption to neighbours during construction, however, this will be temporary in duration. Furthermore, the permission granted will be conditioned to require the submission of a Construction Management Plan (CMP) which will include measures such as a dust and noise mitigation and ensure that best practice measures are employed as part of the development.

In terms of the completed development, it is not envisaged that any increased noise or disturbance resulting from a development of the scale proposed would be incompatible with the prevailing residential context of the site's surroundings. It is of note that the Head of Public Protection has raised no objection to the development from a residential amenity perspective. In this regard, the development is in accord with the objectives of the Well Being of Future Generations (Wales) Act 2015 as well as those of national planning policy.

The proposal is therefore in accord with the objectives of policies GP1 and TR3 of the LDP in that it will not materially harm the living conditions of nearby occupants.

With regard to the landscape impact of the development, the construction of the dwellings will inevitably alter the existing character of the site. Nonetheless, the site is an established housing allocation located on the edge of the existing settlement and its development will represent a logical extension of the existing urban form. Whilst matters relating to the detailed design of the scheme are reserved for future consideration, it is considered that a development of the scale and density proposed can be accommodated within the site without compromising the quality of the scheme or detracting from the visual amenity and spatial character of the surrounding area. The site is well contained by existing hedgerows and the careful design of the dwellings combined with the provision of new landscaping proposals and areas of open space will ensure the development will respond well to the site's setting and not result in harm to the character and appearance of the area.

The proposal is therefore in accord with the objectives of policies SP1, H2 and GP1 of the LDP in terms of its impact upon the surrounding area.

Concerns have been raised regarding the risks of surface water flooding from the development while a number suggest that a restrictive covenant will preclude the discharge of surface water from the development into the existing drainage system. Colleagues in the Authority's Land Drainage team have raised no objection to the drainage strategy proposed in that will provide a sustainable means of disposal ensuring that no surface water will enter the public sewerage system and no detriment will be caused to neighbouring occupiers and landowners. NRW have also raised no objection to the development. Restrictive covenants relating to the drainage scheme are civil matters rather than planning concerns and cannot therefore be given weight in the consideration process.

Turning to foul drainage, Welsh Water have raised no objection to the applicants' proposal to discharge foul water into the existing public sewer within the Dol y Dderwen estate.

The permission granted will be conditioned to require the submission and approval of the detailed design of the foul and surface water drainage scheme prior to the commencement of the development. The proposal is therefore 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.

As to the impact of the development upon the neighbouring public footpath to the south of the site, the footpath will not be affected by the development while the Head of Transport has recommended the imposition of a suitable condition securing the provision of a direct link to the footpath from the development. This will improve the sustainable travel options of the future occupiers of the development by providing a footpath link to the existing services and facilities in the village.

On the opined need for community improvements as part of the development, members will have noted from the appraisal above that the development will provide 11 affordable dwellings as well as securing a financial contribution towards the improvement of facilities in the local catchment schools and the nearby park in the village. The development layout will also include an element of informal open space. The level of community benefits is commensurate with the scale of the development and in accord with the objectives of GP3 and REC2 of the LDP.

Concerns regarding the future development and perceived neglect of the remainder of the field enclosure wherein the site is located are not relevant to the application. It is of note that this land is outside the development limits of the LDP whereby there is a presumption against its development for further housing.

Finally, turning to the issue of the ownership of the land between the existing estate road and the application site. This area of land was omitted from the application site submitted with the original application, however, it has subsequently been included and the site is now contiguous with the existing Dol y Derwen estate road. Moreover, whilst there has previously been a dispute over the ownership of this area of land, the applicant has now confirmed that he has purchased the land and it is now in his ownership and control.

CONCLUSION

After careful examination of the site and its surrounding environs, together with the representations received to date, the principle of the residential development of the site is considered to be acceptable. The site is allocated for housing purposes and its development complies with the key policy and sustainability objectives of the Authority's LDP and national planning policy.

The site is well integrated with the existing pattern of development in Llangain and is capable of accommodating a development of the scale and density proposed without detracting from the character and appearance of the surrounding area. The development will provide a wide range and choice of housing types and sizes which will be well related to and assist in supporting and sustaining the existing services and facilities in the village including the school and public house. It will also be within easy access of existing public transport facilities and contribute to the improvement of local education and play facilities.

In addition, the development 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.

The Authority's Planning Ecologist and NRW have raised no objections to the development from an ecological perspective and there are also no sustained amenity or highway objections to the proposal.

The application is therefore 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 permission hereby granted relates to the land defined by the 1:1250 scale location plan received on 13 November 2018.
- 2 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 3 Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 4 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 5 No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall include a programme of implementation of the scheme and shall be implemented in accordance with the approved details prior to the residential use of the development and retained in perpetuity.

- 6 No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. Such details are to form part of any Reserved Matters application for the site and the development shall be carried out in accordance with the approved details.
- 7 No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP must include:-
- Construction methods: details of materials used in construction; details of how waste generated will be managed;
 - General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage site set-up plan detailing how sensitive receptors will be protected from harm e.g. fencing, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - Biodiversity Management during construction: details of habitat retention and protection; invasive species management; species and habitat protection, avoidance and mitigation measures (as detailed with the Ecology reports).
 - Soil Management: details of topsoil strip, storage and amelioration for re-use.
 - CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
 - Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
 - Resource Management: details of fuel and chemical site storage and containment; details of waste generation and its management; details of the consumption of water, wastewater and energy use.
 - Traffic Management: details of site deliveries access points, storage and use of plant on site; details of wheel wash facilities.
 - Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
 - Details of the persons and bodies responsible for activities set out in the CEMP and emergency contact details. For example, contract manager, site manager, contractors, visitors, site environmental advisor, landscape clerk and ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented in accordance with the approved details.

- 8 No development shall commence until an Ecological Design Scheme (EDS) has been submitted to and approved in writing by the Local Planning Authority. The EDS 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 information contained in sections 5.14 – 5.25 of the Ecology Appraisal by Ecology Planning dated 06 April 2017 and received on 13 November 2018. The EDS shall be implemented in accordance with the approved details.
- 9 Prior to its use by vehicular traffic, the new access road (connecting to Dol-y Dderwen) shall be laid out and constructed with 5.5 metre carriageway and 1.8 metre footways.
- 10 Prior to the commencement of the development hereby approved, a speed limit reduction scheme for the B4312, reducing the speed limit from 40mph to 30 mph in the vicinity of the junction with Heol Smyrna, shall be submitted for the written approval of the Local Planning Authority and to the specification of the Local Highway Authority. The scheme shall be implemented in accordance with the approved details prior to commencement of the development.
- 11 Prior to commencement of the development a scheme detailing the provision of a footway or footpath (with public utility suitable for adoption) connecting to the Public Right of Way forming the southern boundary of the development site and to the specification of the Local Highway Authority, shall be submitted for the written approval of the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

REASONS

- 1 For the avoidance of doubt as to the extent of this permission.
- 2-3 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 4 In order to ensure a satisfactory layout of the site and in the interest of visual amenities.
- 5 To ensure the development is drained in a sustainable and acceptable manner.
- 6 In the interests of visual amenity.
- 7 To safeguard residential amenity and prevent the pollution of the environment.
- 8 In the interests of visual amenity and to safeguard and enhance existing landscape and biodiversity features.
- 9-11 In the interest 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 Policies SP1, SP3 and GP1 of the LDP in that it consists of a sustainable form of development that is appropriate in scale and design to the existing urban form of the area and is not likely to cause unacceptable harm to neighbouring properties.
- The proposed development complies with Policy H1 and H2 of the LDP in that it is allocated for residential development purposes within the Plan. Furthermore, the proposal is in accord with policies AH1 of the LDP in that it will provide a proportion of affordable housing.
- The proposed development complies with Policies SP9, GP1 & TR3 of the LDP in that the proposal is located in a sustainable location and will not be detrimental to highway safety.
- The proposed development complies with policies EQ4, EP2 and EP3 of the LDP in that it will not result in any unacceptable ecology, flooding or pollution impacts.
- The proposed development complies with policy GP4 in that it will be served by infrastructure that is adequate to meet the needs of the development.
- The proposed development complies with policies GP3 and REC2 of the LDP in that provision is to be made for improvements to open space and education facilities in area.

NOTES

- 1 The applicant/developer is advised that this permission is granted subject to the completion of a Section 106 agreement securing a proportion of affordable housing as well as commuted payments towards the improvement of education and open space facilities as part of the development.
- 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 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	W/38261
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Application Type	Full Planning
Proposal & Location	REMOVAL OF COLLAPSED STONE BUILDING AND CONSTRUCTION OF 1 DWELLING AT LAND ADJ PENYBONT, NO 1 PENYBONT, LLANBOIDY, WHITLAND, CARMS, SA34 0EH

Applicant(s)	LEE & PHILLIPS LTD - MR DARREN PHILLIPS, NO. 1 PENYBONT, LLANBOIDY, WHITLAND , SA34 0EH
Case Officer	Charlotte Greves
Ward	Llanboidy
Date of validation	07/01/2019

Following the submission of amended plans, further re-publicity was carried out, the period of which ends on 16th October 2019, and thus after the committee agenda deadline. Any comments received as a result will be reported to the committee in an addendum or verbally at the meeting.

Reason for Committee

This application is being reported to the Planning Committee as the applicant is immediately related to a Local Member and Member of the Planning Committee.

Site

The application site is located within the lower part of Llanboidy which is within the development limits and Conservation Area, designated in 1993. The area is characterised by the informal arrangement of a mixture of traditional dwellings and cottages in addition to some more modern developments centred around the road and River Gronw. The site is also located some 150m south of scheduled monument Llanboidy Mound & Bailey Castle (CM098) and 360m north-west of scheduled monument Hafod Camp (CM166).

The site comprises the remains of a mid 19th century, partially collapsed stone building which fronts the C3102, the main road connecting the upper and lower parts of Llanboidy. The building is immediately fronts the road and is directly adjacent and north of a terrace of dwellings, known as Pen Y Bont cottages. The area to the rear of the site contains a disused Dutch barn and former pig sty building beyond which are the development limits and open countryside further to the north and east.

Proposal

Full planning permission together with conservation area consent is sought for the complete demolition and removal of the remains of the stone building together with the development of a new two storey dwelling with associated garden, access, parking and turning area.

This report considers the acceptability of the new dwelling and the accompanying application for Conservation Area Consent is subject of a separate Planning Committee report, reference W/38262.

The application has been amended since first submitted, reducing the development from a pair of semi-detached dwellings to a proposal for the construction of a single dwelling following concerns raised during the course of the application in respect of access, parking and amenity provision.

The proposed dwelling would have a traditional, two storey double fronted design utilising traditional materials in its construction including rendered walls, slate roof and brick chimney. The proposed lean to extension on the side (north) elevation would involve the re-use of reclaimed stone from the demolished building it is to replace. The proposed dwelling would be modest in scale providing two bedrooms and a bathroom at first floor and living room, kitchen and utility room at ground floor.

The dwelling is proposed to be accessed using the same access as that currently used by occupiers of the adjacent terrace, known as Pen Y Bont cottages. The siting of the proposed dwelling will be further north than that of the existing collapsed building in order to improve the its suitability for additional traffic and to existing visibility sight lines. Parking provision in the form of two spaces is to be provided immediately to the rear of the dwelling off the existing access drive. A garden area is proposed to be provided to the side and partially to the rear of the dwelling.

Planning Site History

Current:

Corresponding application for Conservation Area Consent:-

W/38261	Removal of collapsed stone building and construction of 1 dwelling - subject of accompanying planning committee report recommended for approval	Pending
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Current submitted planning application for adjacent site:-

W/38263	Demolition and removal of derelict agricultural buildings, and construction of new 3 bedroom dwelling – subject of separate planning committee report recommended for approval	Pending
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Historic:

The relevant planning history for the site is as follows:-

W/21956	Construction of two semi-detached residential properties Withdrawn	09 March 2010
W/20313	Construction of two semi detached residential properties Withdrawn	12 February 2009

Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP3 Sustainable Distribution- Settlement Framework
- SP13 Protection and Enhancement of the Built and Historic Environment
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High Quality Design
- GP2 Development Limits
- H2 Housing within Development Limits
- AH1 Affordable Housing
- TR3 Highways in Developments – Design Considerations
- EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
- EP2 Pollution
- EP3 Sustainable Drainage
- EQ4 Biodiversity

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Head of Transportation & Highways - No objection – conditions recommended.

Llanboidy Community Council - No observations received to date.

Local Member(s) – Councillor Dorian Phillips, is a Local Member and member of the Planning Committee. Councillor Phillips has declared an interest in the applications as he is immediately related to the applicant.

Dwr Cymru/Welsh Water – No objection – condition recommended.

Natural Resources Wales – No objection.

Land Drainage – Further information required in respect of method of surface water disposal.

Cadw – No objection.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice. No representations have been received as a result.

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

Appraisal

Principle of the Development

The application site is located within the development limits of Llanboidy, categorised as a sustainable community within the Local Development Plan's (LDP) settlement framework. The proposal for the development of a single dwelling on land within the development limits of a sustainable community is permitted in accordance with Policies H2 and GP2 of the LDP. The principle of the proposed development is therefore considered acceptable subject to detailed considerations as discussed below.

Impact on the Character and Appearance of the Area

The proposed dwelling is to be erected in the place of a former two storey stone building which occupied a prominent position adjacent to the road and forming part of the historic core of dwellings and building making up the lower Llanboidy Conservation Area.

The building which has now mostly collapsed is unsightly and no longer contributes positively to the character and appearance of the area. The proposed development is for the complete demolition and removal of the remaining building (see corresponding Conservation Area Consent report W/38262) and the erection of a single residential dwelling in its place.

The proposed dwelling would have a traditional design and appearance echoing that of nearby dwellings. The proposed use of materials reflect and respect the predominant character and vernacular of the settlement and conservation area.

As such the proposed dwelling is considered acceptable in terms of its layout, scale, appearance and the relationship to existing properties within the settlement. The proposed dwelling would also utilise materials that are considered to be appropriate to the area within which it is located and as such would comply with the relevant criterion of Policy GP1 having regard to the character and appearance of the area.

Principle of Demolition and the Impact on the Character and Appearance of the Conservation Area and Setting of Scheduled Ancient Monuments

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

This is supported by Policy SP 13 of Carmarthenshire's LDP which states that *development proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets, and, where appropriate, their*

setting. This includes proposals within Conservation Areas and relating to Scheduled Ancient Monuments.

The applicant has provided a detailed Heritage Impact Assessment in support of the application which provides details of the history of the site, commentary on the character of the Conservation Area as a whole and information in respect of the Scheduled Ancient Monuments (SAMs) located within close proximity of the site.

Cadw has responded to consultation on the application with no objection, on the basis that the proposed dwelling would be seen as part of the collective of dwellings in this part of Llanboidy and given the intervening topography which serves to prevent direct, significant views.

The Built Heritage Officer has commented that the proposals would not preserve the character or appearance of the conservation area in this location but are welcomed. The collapsed building, which in its current state there is no merit in retaining, is having a negative effect and therefore its removal and replacement with a dwelling in the spirit of the vernacular of the area would enhance it as stated above.

Therefore, it is considered that the proposed dwelling would enhance the character and appearance of the Conservation Area and there would be no direct impact or impact upon the setting of the nearest Scheduled Ancient Monuments in accordance with Policies SP 13 and EQ1 of the LDP.

Living Conditions of Neighbouring Occupiers

The proposed dwelling would be sited adjacent to an existing terrace of properties known as Pen Y Bont cottages and would front the highway akin to the layout of the existing dwellings.

The property opposite the site, The Bush, has its side elevation facing the road and is located further to the north than that of the proposed dwelling.

It is considered that the proposed layout, siting and fenestration is such that there would be no significant impact on the amenity of adjacent properties or their residents having regard to loss of privacy resulting from overlooking or overbearing impacts.

In addition it is considered that an acceptable level of private amenity space is provided to serve the proposed dwelling.

A condition will be included in any planning permission requiring details of proposed boundary treatments around the curtilage of the dwelling in order to safeguard the amenity of existing residents and occupiers of the proposed dwelling.

The proposed development is considered to comply with the relevant criterion of Policy GP1 having regard to the amenity and living conditions of neighbouring occupiers.

Impact upon Highway Safety

As stated above the application has been amended since first submission, reducing the proposal from a pair of semi-detached dwellings to one dwelling. This has had the effect of reducing the level of parking provision required within the site and as such has allowed an

increased amount of private amenity space for the dwelling. The reduction in the level of development has also provided scope for the proposed access point to change from the north of the dwelling to the south and between the dwelling and adjacent terrace.

The development would utilise the existing access which is currently used by the occupiers of the adjacent terrace in order to allow them to park off road and to the rear of the properties.

Whilst this is an informal access and parking arrangement, the current application proposes the siting of the new dwelling to be further away from the existing terrace in order to move the access further north and to improve the width of the existing access allowing a two way traffic flow. In addition the proposed dwelling will be sited as such to allow improved visibility sight lines at the access.

The Head of Highways and Transportation has responded to consultation with no objection and recommended conditions which will be included. It is therefore considered that the proposed development complies with Policy TR3 Highways in Developments – Design Considerations.

Biodiversity

An Ecological Survey accompanies the submission which concludes that, in relation to the remains of the building, the site has low potential for bats and that no other protected species were found during the survey.

Notwithstanding this, the applicant is advised that the development is carried out in accordance with the conclusions and recommendations of the survey report.

The proposed development is therefore considered to accord with Policy SP 14 and EQ4 of the LDP having regard to its impacts upon biodiversity.

Flooding

The site is located within a C2 flood zone as defined by Technical Advice Note (TAN) Wales 15: Developments and Flood Risk (2004). A Flood Consequences Assessment by Francis Sant undertaken in 2017 is submitted in support of the application and Natural Resources Wales has been consulted.

The response from Natural Resources Wales to consultation is as follows:-

“The main risk to the development site is from the River Gronw and its associated unnamed tributaries. The report makes use of a 1D HEC-RAS model to undertake an assessment for both the 1% (1:100 year) and 0.1% (1:1000 year) Annual Probability of Flooding (APF) fluvial events. Climate change (CC) allowances have been applied to the 1% (1:100 chance) fluvial event using the latest guidance. Sensitivity and blockage scenarios have been undertaken. The model is suitable for use in both applications.

The source of the flooding indicated in the FCA is a fluvial risk, where flood water once flowed down a filled in mill-leet. The FCA states that this mill-leet has since been filled in and has ceased to act as a flow path. This is an acceptable statement and has been confirmed by a site visit. The FCA states that the results from the hydraulic modelling show

that the site is flood free during all scenarios run and hence complies with Table A1.14 of TAN 15.

We would agree with the findings of the FCA and therefore, we would offer no adverse comment to this application in terms of flood risk.”

As such whilst the principle of residential development is not normally accepted in C2 flood zones, in this instance, on the basis of the Flood Consequences Assessment findings and situation as it exists on the ground the proposal would not conflict with national policy as set out in TAN 15.

Drainage

The application form submitted with the application states that foul water is proposed to be disposed of the mains sewer to which Dwr Cymru/Welsh Water have not objected.

The method of surface water disposal is not specified on the submitted plans. Notwithstanding this, the Council’s Land Drainage team has commented that further information is required to establish a suitable scheme for surface water disposal from the site. This can be secured through the imposition of a suitable condition. The application was submitted prior to the implementation of new legislation in January in relation to sustainable drainage approval and therefore the separate SAB approval is not required in this instance.

The proposed development is considered to accord with Policies EP2 and EP3 of the LDP.

Planning Obligations

The applicant has completed and signed a Unilateral Undertaking agreeing to pay the requisite commuted sum contribution to affordable housing in accordance with Policy AH1 of the LDP.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance and for the reasons set out above that the proposed development accords with the relevant planning policies and therefore planning permission should be granted for the proposed development.

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:-
 - 1:1250 Scale Location Plan received 26th November 2018;
 - 1:200 Scale Existing Site Plan received 26th November 2018;
 - 1:500 Scale Block Plan received 26th November 2018;
 - 1:200 Scale Revised Proposed Site Layout Plan received 9th August 2019;
 - 1:100 Scale Revised Section A-A Plan received 9th August 2019;
 - 1:100 Scale Revised Section B-B Plan received 9th August 2019;
 - 1:100 Scale Revised Ground Floor Plan received 9th August 2019;
 - 1:100 Scale Revised First Floor Plan received 9th August 2019;
 - 1:100 Scale Revised Roof Plan received 9th August 2019;
 - 1:100 Scale Revised North Elevation Plan received 17th September 2019;
 - 1:100 Scale Revised East Elevation Plan received 17th September 2019;
 - 1:100 Scale Revised South Elevation Plan received 17th September 2019;
 - 1:100 Scale Revised West Elevation Plan received 17th September 2019;
 - 3D Visual – Combined Proposed Development (NTS);
 - Design and Access Statement received 4th January 2019;
 - BS5837 Tree Survey and Survey Data received 23rd July 2019;
 - Ecological Survey dated November 2018 received 26th November 2018 as supplemented by Updated Ecological Survey – Buildings (February 2019) and Updated Ecological Survey – Land (May 2019);
 - Flood Consequence Assessment Report and Flood Estimation Calculation Record received 26th November 2018;
 - Heritage Impact Assessment 2019 received 4th January 2019.
- 3 Prior to the commencement of the construction of the dwelling hereby approved, a 1.8 metre wide footway shall be provided along the entire site frontage with the C3201 Road to the specification of the Local Highway Authority in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
- 4 The access and visibility splays shall be wholly provided in accordance with the 1:100 Scale Revised Proposed Site Layout Plan received 9th August 2019 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.
- 5 The off road parking spaces and layout, as detailed on the 1:100 Scale Revised Proposed Site Layout received 9th August 2019 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 access drive shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the highway boundary, prior to any part of the

development approved herewith being brought into use and thereafter maintained in perpetuity.

- 7 No development shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved and retained in perpetuity.
- 8 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
- 9 Prior to the construction of the dwelling hereby approved details of the materials to be used in the construction of the external surfaces of the dwelling have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 10 Prior to their installation full details of the materials and design of proposed windows and doors to be installed shall be submitted to and approved in writing by the Local Planning Authority. Their installation shall be completed in accordance with the approved details.
- 11 Prior to the occupation of the dwelling hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwelling is occupied.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt as to the extent of this permission.
- 3-6 In the interest of highway safety to accord with Policy TR3 of the Local Development Plan for Carmarthenshire adopted December 2014.
- 7 To ensure a satisfactory means of foul and surface water disposal is implemented in the interests of Policies EP 3 of the Local Development Plan for Carmarthenshire adopted December 2014.
- 8 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment to accord with Policies EP2 and EP3 of the Carmarthenshire Local Development Plan adopted December 2014.
- 9-11 In the interest of visual and residential amenity and the character and appearance of the conservation area to accord with Policy GP1 and SP 13 of the Local Development Plan for Carmarthenshire adopted December 2014.

Notes/Informatives

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

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

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

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

- 2 The applicant/developer's attention is drawn to the signed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £7,160.63.
- 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

Application No	W/38262
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Application Type	Conservation Area Consent
Proposal & Location	REMOVAL OF COLLAPSED STONE BUILDING AND CONSTRUCTION OF 1 DWELLINGS AT LAND ADJ PENYBONT, NO 1 PENYBONT, LLANBOIDY, WHITLAND, CARMS, SA34 0EH

Applicant(s)	LEE & PHILLIPS LTD - MR DARREN PHILLIPS, NO. 1 PENYBONT, LLANBOIDY, WHITLAND , SA34 0EH
Case Officer	Charlotte Greves
Ward	Llanboidy
Date of validation	07/01/2019

Following the submission of amended plans, further publicity of the application was carried out, the period of which ends on 16th October 2019, and thus after the committee agenda deadline. Any comments received as a result will be reported to the committee in an addendum or verbally at the meeting.

Reason for Committee

This application is being reported to the Planning Committee as the applicant is immediately related to a Local Member and Member of the Planning Committee.

Site

The application site is located within the lower part of Llanboidy which is within the development limits and Conservation Area, designated in 1993. The site is also located some 150m south of scheduled monument Llanboidy Mound & Bailey Castle (CM098) and 360m north-west of scheduled monument Hafod Camp (CM166).

The site comprises the remains of a mid-19th century, partially collapsed stone building which fronts the C3102, the main road through the centre of Llanboidy. The building is not listed and based on information available is thought to have previously been used as an agricultural building and possibly a dwelling at some point prior to that. The building is immediately fronts the road and is directly adjacent and north of a terrace of dwellings, known as Pen Y Bont cottages. The area to the rear of the site contains a disused Dutch barn and former pig sty building beyond which are the development limits and open countryside further to the north and east.

The remaining walls of the building are constructed mainly of slate stone and clay, of which large areas (south westerly and north easterly elevations) have collapsed. The roof structure has fallen within the walls and rendered the building inaccessible. One small access on the south westerly elevation remains visible and the building is said to be rapidly deteriorating and is largely unsafe.

Proposal

Full planning permission together with conservation area consent is sought for the complete demolition and removal of the remains of the stone building in order to facilitate the development of a new two storey dwelling.

Is it proposed that complete demolition and removal of the stone building be carried out requiring conservation area consent as the demolition amounts to a building operation.

The applicant states in the accompanying Heritage Impact Assessment, that the removal of the collapsed roof structure and remains of the south westerly elevation would allow safe access for the further demolition of the deteriorating stone walls. This work would provide a clear sufficient area for redevelopment.

The stated schedule of works are as follows:-

- Stage 1 – Seek relevant approval;
- Stage 2 – Safe removal and disposal of currently collapsed structure;
- Stage 3 – Safe demolition of remaining structure;
- Stage 4 – Disposal of waste;
- Stage 5 – Create level area for redevelopment.

Planning Site History

The current and relevant historic planning applications at this site are as follows:-

Current:

Accompanying application:

W/38261	Removal of collapsed stone building and construction of 1 dwelling – subject of accompanying planning committee report recommended for approval	Pending
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Current submitted planning application for adjacent site:

W/38263	Demolition and removal of derelict agricultural buildings, and construction of new 3 bedroom dwelling – subject of separate planning committee report recommended for approval	Pending
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Historic:

The relevant planning history for the site is as follows:-

W/21956	Construction of two semi-detached residential properties Withdrawn	09 March 2010
W/20313	Construction of two semi-detached residential properties Withdrawn	12 February 2009

Planning Policy

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

SP13 Protection and Enhancement of the Built and Historic Environment

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Llanboidy Community Council - No observations received to date.

Local Member(s) – Councillor Dorian Phillips, is a Local Member and member of the Planning Committee. Councillor Phillips has declared an interest in the applications as he is immediately related to the applicant.

Conservation – Ecology - No objection. Conditions recommended.

Conservation – Buildings – No objection.

Cadw – No objection.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice and publication in the press. No representations have been received to date.

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

Appraisal

Principle of Demolition and the Impact on the Character and Appearance of the Conservation Area and Setting of Scheduled Ancient Monuments

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

This is supported by Policy SP 13 of Carmarthenshire's LDP which states that development proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets, and, where appropriate, their setting. This includes proposals within Conservation Areas and relating to Scheduled Ancient Monuments.

The applicant has provided a detailed Heritage Impact Assessment in support of the application which provides details of the history of the site, commentary on the character of the Conservation Area as a whole and information in respect of the Scheduled Ancient Monuments (SAMs) located within close proximity of the site.

The applicant states that there is nothing to suggest that the building has any significant historical importance and is not listed. It is clear that in its current state that it has nothing but a negative impact on the conservation area and surroundings. The applicant goes on to state that whilst repair has been considered it is deemed to no longer be an option given the current state of the building. Complete demolition and the considered redevelopment of the site is therefore proposed.

Cadw has responded to consultation on the application with no objection, their comments focusing on the erection of the new dwelling (subject of the appraisal in accompanying committee report for W/38261). Notwithstanding, this the proposal to remove the remaining building is not considered would have any significant adverse impact either directly or upon the setting of the nearest SAMs, namely the scheduled monument Llanboidy Mound & Bailey Castle (CM098) some 150m north of the site and the scheduled monument Hafod Camp (CM166) some 360m south east of the site.

The Built Heritage Officer has commented that the proposals would not preserve the character or appearance of the conservation area in this location but are welcomed. The collapsed building, which in its current state there is no merit in retaining, is having a negative effect and therefore its removal and replacement with a dwelling in the spirit of the vernacular of the area would enhance it (subject to appraisal in the accompanying Planning Committee report for W/38261).

Therefore, it is considered that the proposal to demolish and remove the remaining elements of the collapsed building is considered to accord with the requirements as set out in the Act and with Policy SP 13 of the LDP.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that conservation area consent should be granted.

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 unless otherwise stipulated by conditions:-
 - 1:1250 scale Location Plan received 26th November 2018;
 - 1:200 scale Existing Site Plan received 26th November 2018;
 - 1:500 scale Block Plan received 26th November 2018;
 - 1:200 scale Revised Proposed Site Layout Plan received 9th August 2019;
 - 1:100 scale Revised Section A-A Plan received 9th August 2019;
 - 1:100 scale Revised Section B-B Plan received 9th August 2019;
 - 1:100 scale Revised Ground Floor Plan received 9th August 2019;
 - 1:100 scale Revised First Floor Plan received 9th August 2019;
 - 1:100 scale Revised Roof Plan received 9th August 2019;
 - 1:100 scale Revised North Elevation Plan received 17th September 2019;
 - 1:100 scale Revised East Elevation Plan received 17th September 2019;
 - 1:100 scale Revised South Elevation Plan received 17th September 2019;
 - 1:100 scale Revised West Elevation Plan received 17th September 2019.
- 3 No work for the demolition of the building shall commence until such time as the applicant or their agents or successors in title have secured a time specific contract for the demolition of the existing building and planning permission obtained for the construction of the replacement structure.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For clarity as to the extent of the permission.
- 3 In order to ensure that the site is not left vacant and derelict, and the replacement dwelling is constructed within a reasonable period of time from the commencement of the demolition work.

Notes/Informatives

- 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).

Application No	W/38263
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Application Type	Full Planning
Proposal & Location	DEMOLITION AND REMOVAL OF DERELICT AGRICULTURAL BUILDINGS, AND CONSTRUCTION OF NEW 3 BEDROOM DWELLING AT LAND ADJ PENYBONT, NO 1 PENYBONT, LLANBOIDY, WHITLAND, CARMS, SA34 0EH

Applicant(s)	DARREN PHILLIPS, NO. 1 PENYBONT, LLANBOIDY, WHITLAND, SA34 0EH
Case Officer	Charlotte Greves
Ward	Llanboidy
Date of validation	07/01/2019

Reason for Committee

This application is being reported to the Planning Committee as the applicant is immediately related to a Local Member and Member of the Planning Committee.

Site

The application site is located within the lower part of Llanboidy which is within the development limits and Conservation Area, designated in 1993. The area is characterised by the informal arrangement of a mixture of traditional dwellings and cottages in addition to some more modern developments centred around the road and Afon Gronw. The site is also located some 150m south of scheduled monument Llanboidy Mound & Bailey Castle (CM098) and 360m north-west of scheduled monument Hafod Camp (CM166).

The site comprises an irregularly shaped, level parcel of land, set back off the main road and to the rear of the remains of a mid 19th century, partially collapsed stone building which fronts the C3201. The building remains and land to the front of the application site are subject to application W/38261 and W/38262 for planning permission and conservation area consent.

Currently the site comprises the remains of a disused Dutch hay barn, a brick pig sty and an area used for storage during recent nearby renovation works of the adjacent terrace.

Proposal

Full planning permission is sought for the demolition and removal of the existing outbuildings together with the development of a new storey and a half dwelling with associated garden, access, parking and turning area.

The application has been amended since first submitted, following recommendations made during the course of the application in respect of the proposed dwelling design and use of materials.

The proposed dwelling would have a simple traditional design when viewed from the north west, utilising the majority of the stone recovered in the remaining demolition of the roadside building (subject to applications W/38261 and W38262 for full planning permission and Conservation Area Consent). The remaining elevations are proposed to have a more modern design consisting of a mixture of materials including slate hanging, stone, timber cladding and glazing.

The proposed dwelling would accommodate 3 bedrooms, one with ensuite and bathroom at first floor together with a kitchen/living room, dining room, lounge, utility room and WC at ground floor.

The dwelling is proposed to be accessed via a new access to be created directly off the C3102 adjacent and to the north of the land subject to applications W/38261 and W/38262. It is proposed that a driveway is formed at the rear of the dwelling proposed by W/38261 and W/38262 leading to an off road parking, turning and garden area to the front of the proposed dwelling.

Planning Site History

Current:

Current dual application for Planning Permission:

W/38261	Removal of collapsed stone building and construction of 1 dwelling – subject of accompanying planning committee report recommended for approval	Pending
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Corresponding application for Conservation Area Consent:

W/38262	Removal of collapsed stone building and construction of 1 dwelling – subject of accompanying planning committee report recommended for approval	Pending
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Historic:

The relevant planning history for the site is as follows:

W/21956	Construction of two semi-detached residential properties Withdrawn	09 March 2010
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W/20313 Construction of two semi-detached residential properties
Withdrawn

12 February 2009

Planning Policy

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

SP1 Sustainable Places and Spaces
SP3 Sustainable Distribution- Settlement Framework
SP13 Protection and Enhancement of the Built and Historic Environment
SP14 Protection and Enhancement of the Natural Environment
GP1 Sustainability and High Quality Design
GP2 Development Limits
H2 Housing within Development Limits
AH1 Affordable Housing
TR3 Highways in Developments – Design Considerations
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
EP2 Pollution
EP3 Sustainable Drainage
EQ4 Biodiversity

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Head of Transportation & Highways - No objection – conditions recommended.

Llanboidy Community Council - No observations received to date.

Local Member(s) – Councillor Dorian Phillips, is the Local Member and member of the Planning Committee. Councillor Phillips has declared an interest in the applications as he is immediately related to the applicant.

Dwr Cymru/Welsh Water – No objection – condition recommended.

SAB – No objection.

Land Drainage – Further information required in respect of surface water disposal.

Conservation – Ecology – No objection subject to condition.

Conservation – Built Heritage – No objection.

Natural Resources Wales – No objection.

Cadw – No objection.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice. No representations have been received as a result.

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

Appraisal

Principle of the Development

The application site is located within the development limits of Llanboidy, categorised as a sustainable community within the Local Development Plan's (LDP) settlement framework. The proposal for the development of a single dwelling on land within the development limits of a sustainable community is permitted in accordance with Policies H2 and GP2 of the LDP. The principle of the proposed development is therefore considered acceptable subject to detailed considerations as discussed below.

Impact on the Character and Appearance of the Area

The proposed dwelling is to be erected in the place of disused agricultural buildings and at the edge of the development limits and within the Conservation Area of Llanboidy.

The proposed dwelling design is considered to reflect the historic agricultural use of the site, by its linear appearance and through re-use of traditional stone taken from the collapsed building to the south of the site. The design is considered to mimic the appearance of a traditional stone converted barn from the principle views to the west. The other elevations incorporate a mixture of those seen elsewhere within the conservation area but also with a more modern projection to the east utilising timber cladding and glazing. There would be limited views of all elevations except to the west due to the proposal to set it back within the site, scale and height and presence of existing dwellings and intervening topography.

As such the proposed dwelling is considered acceptable in terms of its layout, scale, appearance and the relationship to existing properties within the settlement. The proposed dwelling would also utilise materials that are considered to be appropriate to the area within which it is located and as such would comply with the relevant criterion of Policy GP1 having regard to the character and appearance of the area.

Principle of Demolition and the Impact on the Character and Appearance of the Conservation Area and Setting of Scheduled Ancient Monuments

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

This is supported by Policy SP 13 of Carmarthenshire's LDP which states that *development proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets, and, where appropriate, their*

setting. This includes proposals within Conservation Areas and relating to Scheduled Ancient Monuments.

Cadw has responded to consultation on the application with no objection, on the basis that the proposed dwelling would be seen as part of the collective of dwellings in this part of Llanboidy and given the intervening topography which serves to prevent direct, significant views.

The Built Heritage Officer has commented that the proposals would not preserve the character or appearance of the conservation area in this location. The existing disused agricultural buildings, which are currently in a poor state of repair, currently have a negative effect on the area. Therefore, their removal and the provision of a new dwelling with a design that reflects the historic agricultural use of the site and appropriate use of materials are considered to acceptably integrate the development in this part of the Conservation Area which it is considered would enhance it.

Therefore, it is considered that the proposed dwelling would enhance the character and appearance of the Conservation Area and there would be no direct impact or impact upon the setting of the nearest Scheduled Ancient Monuments in accordance with Policies SP 13 and EQ1 of the LDP.

Living Conditions of Neighbouring Occupiers

It is necessary to consider the impact of the proposed dwelling upon the living conditions of occupiers of existing properties in addition to potential future occupiers of the dwelling subject to the concurrent application (W/38261 and W/38262).

It is considered that the proposed layout, siting, scale and fenestration of the proposed dwelling is such that there would be no direct overlooking of any adjacent properties including the dwelling proposed to the south thus not giving rise to privacy impacts. Similarly, there would be sufficient separation distance between the proposed dwelling and those closest to it so as not to cause any overbearing impact.

Moreover, it is considered that an acceptable level of private amenity space is provided to serve the proposed dwelling. Conditions will be included in any planning permission requiring details of landscaping and proposed boundary treatments around the curtilage of the dwelling in order to safeguard the amenity of existing residents and occupiers of the proposed dwelling.

The proposed development is considered to comply with the relevant criterion of Policy GP1 having regard to the amenity and living conditions of neighbouring occupiers.

Impact upon Highway Safety

The application proposes the creation of a new access and driveway to the west of the site and provision of a parking and turning area of the front of the dwelling. The Head of Highways and Transportation has commented would be acceptable subject to the imposition of appropriate conditions.

It is therefore considered that the proposed development complies with Policy TR3 Highways in Developments – Design Considerations.

Biodiversity

An Ecological Survey by Kite Ecology dated November 2018 accompanies the submission which concludes that the site has low potential for bats and that no other protected species were found during the survey.

Further surveys of the buildings and land were carried out in February and May 2019 respectively and the updated survey reports were submitted in support of the application. The original survey and the further surveys concluded that the existing buildings on site were not being used by bats and no other protected species were found. Notwithstanding this a precautionary approach to the demolition and removal of existing buildings is set out in the recommendations of the report.

The Council's Ecologist and NRW have raised concern that the pig sty building is stated as having a low potential for bats. As such, the Authority's ecologist in accordance with current guidelines states that it is recommended that in these instances a further emergence survey in the bat season is required to confirm the presence or absence of bats. NRW share this view.

The Ecologist, who undertook the survey work, disagrees and has submitted the following:-

"While I appreciate that the surveys were completed in mid-September, in my opinion this would not have affected the results. A visual inspection, emergence and static detector survey were completed which is more than the recommended survey effort for a building classed as being of low potential. The weather on the evening of the survey was 14'C with gentle winds so again well within the parameters for competing bat surveys.

The building in question is relatively small (c.2m by 3m) and, in my opinion is more likely to be used by bats in the 'shoulder' months of May and September when bats are dispersing from their maternity roosts. To request additional surveys in other months is un-necessary and would not provide any additional information.

It should also be noted that the surveys completed in September 2018 were already a repeat of surveys completed in 2009. No bats were recorded using the building in these surveys either.

I note that the ecologist has quoted text from The Bat Conservation Trust (2016) Bat Surveys – Good Practice Guidelines 3rd ed. As stated in the guidelines, 'do not aim to either override or replace knowledge and experience.' In my opinion, the survey effort and timing in this instance was appropriate and proportional. As already stated in my report, the pigsty was classed as being of low bat potential, but as bats have been recorded roosting in adjacent buildings, bat surveys were completed to have confidence in a negative result."

Notwithstanding the above, the applicant has advised that the demolition of the pigsty is not required to enable to the construction of the dwelling and therefore if necessary it can be retained as part of the proposed scheme.

A further response from both NRW and the Council's ecologist has been received. Both note the survey ecologist's reasoning and in this instance accept that no further survey

work is required subject to the conclusions and recommendations of the existing surveys being adhered to. For example with regard to the timing and method of any demolition.

A landscape design scheme including measures to retain and reinforce the existing hedgerow at the western boundary of the site will be required by condition. This will aid in compensating for the loss of the existing trees on site.

Flooding

The site is located within a C2 flood zone as defined by Technical Advice Note (TAN) Wales 15: Developments and Flood Risk (2004). A Flood Consequences Assessment by Francis Sant undertaken in 2017 is submitted in support of the application and Natural Resources Wales has been consulted.

The response from Natural Resources Wales to consultation is as follows:-

“The main risk to the development site is from the River Gronw and its associated unnamed tributaries. The report makes use of a 1D HEC-RAS model to undertake an assessment for both the 1% (1:100 year) and 0.1% (1:1000 year) Annual Probability of Flooding (APF) fluvial events. Climate change (CC) allowances have been applied to the 1% (1:100 chance) fluvial event using the latest guidance. Sensitivity and blockage scenarios have been undertaken. The model is suitable for use in both applications.

The source of the flooding indicated in the FCA is a fluvial risk, where flood water once flowed down a filled in mill-leet. The FCA states that this mill-leet has since been filled in and has ceased to act as a flow path. This is an acceptable statement and has been confirmed by a site visit. The FCA states that the results from the hydraulic modelling show that the site is flood free during all scenarios run and hence complies with Table A1.14 of TAN 15.

We would agree with the findings of the FCA and therefore, we would offer no adverse comment to this application in terms of flood risk.”

As such whilst the principle of residential development is not normally accepted in C2 flood zones, in this instance, on the basis of the Flood Consequences Assessment findings and situation as it exists on the ground the proposal would not conflict with national policy as set out in TAN 15.

Drainage

The application form submitted with the application states that foul water is proposed to be disposed of the mains sewer to which Dwr Cymru/Welsh Water have not objected.

The method of surface water disposal is not specified on the submitted plans. Notwithstanding this, the Council's Land Drainage team has commented that further information is required to establish a suitable scheme for surface water disposal from the site. This can be secured through the imposition of a suitable condition. The application was submitted before new legislation in respect of sustainable drainage came into force on 7th January 2019. As such a separate SAB approval would not be required in this instance. The proposed development is considered to accord with Policies EP2 and EP3 of the LDP.

Planning Obligations

The applicant has completed and signed a Unilateral Undertaking agreeing to pay the requisite commuted sum contribution to affordable housing in accordance with Policy AH1 of the LDP.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance and for the reasons set out above that the proposed development accords with the relevant planning policies and therefore planning permission should be granted for the proposed development.

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:-
 - 1:1250 scale Location Plan received 28th November 2018;
 - 1:200 scale Existing Site Plan received 28th November 2018;
 - 1:500 scale Block Plan received 28th November 2018;
 - 1:200 scale Revised Proposed Site Layout Plan received 9th August 2019;
 - 1:100 scale Revised Ground Floor Plan received 9th August 2019;
 - 1:100 scale Revised First Floor Plan received 9th August 2019;
 - 1:100 scale Revised Roof Plan received 9th August 2019;
 - 1:100 scale Revised North Elevation Plan received 16th September 2019;
 - 1:100 scale Revised East Elevation Plan received 16th September 2019;
 - 1:100 scale Revised South Elevation Plan received 16th September 2019;
 - 1:100 scale Revised West Elevation Plan received 16th September 2019;
 - 3D Visual – Combined Proposed Development (NTS);
 - Design and Access Statement received 4th January 2019;
 - BS5837 Tree Survey and Survey Data received 23rd July 2019;
 - Ecological Survey dated November 2018 received 28th November 2018 as supplemented by Updated Ecological Survey – Buildings (February 2019) and Updated Ecological Survey – Land (May 2019);

- Flood Consequence Assessment Report and Flood Estimation Calculation Record received 28th November 2018.

3 No development, except the demolition of existing buildings and structure on site hereby approved, 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 kept and set out measures for their protection throughout the course of development.

The landscaping scheme shall also provide details of the retention and enhancement of the existing hedgerow on the north-west boundary of the site and any proposed translocation of the existing hedgerow behind the line of the access visibility splay to be provided to the north as detailed on the plans hereby approved.

4 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.

5 The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport Services) Typical Layout No. 1 specification, prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

6 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.

7 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.

8 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 59 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.

9 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.

10 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.

11 The private access shall be hard surfaced in a bonded material for a minimum distance of 5.0 behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

- 12 No development shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved and retained in perpetuity.
- 13 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
- 14 Prior to the construction of the dwelling hereby approved full details, including samples, of the materials to be used in the construction of the external surfaces of the dwelling have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 15 Prior to their installation full details of the materials and design of proposed windows and doors to be installed shall be submitted to and approved in writing by the Local Planning Authority. Their installation shall be completed in accordance with the approved details.
- 16 Prior to the occupation of the dwelling hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected, including those to be erected either side of the new access road, shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwelling is occupied.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt as to the extent of this permission.
- 3-4 In the interest of visual amenity and the character and appearance of the conservation area to accord with Policy GP1 and Policy SP 13 of the Local Development Plan for Carmarthenshire adopted December 2014.
- 5-11 In the interest of highway safety to accord with Policy TR3 of the Local Development Plan for Carmarthenshire adopted December 2014.
- 12 To ensure a satisfactory method of surface water drainage is provided to accord with Policy EP 3 of the Local Development Plan for Carmarthenshire adopted December 2014.
- 13 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment to accord with Policies EP2 and EP3 of the Carmarthenshire Local Development Plan adopted December 2014.

14-16 In the interest of visual and residential amenity and the character and appearance of the conservation area to accord with Policy GP1 and Policy SP13 of the Local Development Plan for Carmarthenshire adopted December 2014.

Notes/Informatives

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

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

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

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

- 2 The applicant/developer's attention is drawn to the signed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £13,266.18.
- 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

Application No	W/38893
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Application Type	Full Planning
Proposal & Location	THIS PLANNING APPLICATION IS FOR A LOW IMPACT, SUSTAINABLE HORTICULTURAL DEVELOPMENT UNDER WELSH GOVERNMENT POLICY TAN 6, ONE PLANET DEVELOPMENT. THE LAND IS CURRENTLY CLASSIFIED AS AGRICULTURAL LAND AND THE APPLICATION WILL INVOLVE A CHANGE OF USE FOR THE LAND OR PART OF IT TO RESIDENTIAL USE AT PARC YR ODYN, HEBRON, WHITLAND, SA34 0XT

Applicant(s)	BRENDAN AND LUDKA POWELL, GROVE COTTAGE, LLANFALLTEG, WHITLAND, 234, SA34 0XT
Case Officer	Charlotte Greves
Ward	Llanboidy
Date of validation	24/05/2019

Reason for Committee

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

Site

The application site comprises a 6 acre parcel of land which lies in a countryside location to the south west of the village of Hebron and north-west of the village of Llanglydwen. Located within a small cluster of dwellings including a farm, the site occupies a relatively sheltered location and slopes gently from north to south on the side of a valley. The land is bounded on two sides by drainage ditches and streams feeding into a larger river to the south and as such some of the land is relatively wet. The site has an access from the classified C3122 road which forms its northern boundary. The eastern and southern boundaries are defined by existing hedgerows and vegetation with agricultural fields beyond while the site's western boundary is defined an area of woodland and hedgerows with a residential property beyond. The northern most portion of the site contains an area of existing hardstanding area used for parking and an existing steel portal framed building. Immediately beyond this is a cultivated area which has been fenced off for vegetable growing, chickens and other livestock. There is an existing polytunnel and woodstore also on the land.

Proposal

The proposal comprises of the erection of a dwelling (measuring 6m x 15m), an extension to the existing portal framed shed (measuring 14m x 9m), two new polytunnels (measuring 6m x 11m), a workshop building measuring 4.8m x 9m, a processing unit/office (measuring 6 x 11m) and the siting of a caravan to provide temporary accommodation (measuring 8m x 2.5m). The site plan submitted with the application also details designated areas for car parking, bicycle parking, tree nursery, herb garden and vegetable garden and proposes the retention of the existing buildings and structures on site.

The existing and proposed ancillary buildings on site are required for the purposes of storage, production and processing, in support of the following land based activities which have been proposed:-

- Beekeeping – for the sale of honey and potential further income from breeding queens, selling bees wax and renting out honey extractor to other local producers;
- Production and sale of sauerkraut and fermented vegetables;
- A tree, shrub and plant nursery – including the planting and growing of a mix of fruit trees, broadleaf trees and shrubs such as roses and other perennial plants and herbs and creation of a nursery area for potted trees and shrubs which can then be sold;
- Vegetables and soft fruit – a vegetable and soft fruit garden area, together with polytunnels for the production of fruit and vegetables for the applicant and family's own consumption with any surplus being sold on;
- Gate sales, vegetable boxes and sales to shops, restaurants and cafes;
- Poultry, pigs and sheep – Sale of eggs, turkey, lamb and pork;
- Eucalyptus – growing for biomass purposes primarily and sale of foliage to florists;
- Herbs and Essential Oil Sales;
- Cider and Cider Vinegar sales; and
- Secondary business initiatives include children's cookery courses, the rental of the proposed processing plant to local producers and One Planet Development training courses.

The development is intended to support the applicants and their three children including providing their basic household needs and 65% of their own food from the proposed land based activities. The applicants also propose to harvest their own energy through renewable sources, source water from a borehole and through rainwater harvesting and minimising and managing all waste in an environmentally sustainable way.

It is proposed that the development will utilise the existing access into the site off the County Road and it is proposed that the dwelling, buildings and ancillary structures together with the associated land would form a "One Planet Development".

Planning Site History

W/34079	Proposed change of use from agricultural building to dwelling Full Refusal	30 August 2016
W/24984	Reinforcement work on 25 km Hebron 11kv feeder Overhead Line Approval	11 August 2011
W/10991	Temporary permission for five years for three polytunnels plus construction of general purpose agricultural building plus retention of access as built. Full planning permission	20 February 2006
W/09956	Retention of mushroom & general purpose shed and pigsty on a permanent basis. Construction of tractor shed & barn. Temporary permission for 3 polytunnels for 5 years Withdrawn	26 July 2005
W/08023	Permanent retention of buildings Withdrawn	17 January 2005
TM/00510	Organic horticultural veg & fruit production unit Full planning permission	16 April 2002
D4/17265	Siting of a bungalow and garage Refusal	17 February 1989
D4/14740	Siting of a bungalow and garage Refusal	31 July 1987
D4/26365	Smallholding comprising hay barn, tractor shed, stables, potting shed storeroom and chicken house Full planning permission	10 October 1996

Planning Policy

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

Policy GP1 (Sustainability and High Quality Design)

Policy TR2 (Location of Development – Transport Considerations)

Policy TR3 (Highways in Development – Design Consideration)

Policy EQ1 (Protection of Buildings, Landscapes and Features of Historic Importance)

Policy EQ4 (Biodiversity)

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government, specifically Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities.

Practice Guidance for One Planet Development (OPD) (2012) which provides practical guidance in support of TAN 6.

<https://gweddill.gov.wales/topics/planning/policy/guidanceandleaflets/oneplanet/?lang=en>

Summary of Consultation Responses

Head of Transportation & Highways - No objection subject to recommended conditions.

Agricultural Advisor (Property Team) – Concerns raised with regard to, inter alia, the small acreage available and the quality of land relative to the targets set by the applicants in their management plan.

Cilymaenllwyd Community Council – Raises the following:-

- Such a planning application is not appropriate as a previous application was declined for the former owner of the site;
- There are a number of One Planet projects in the local area;
- Cilymaenllwyd is a very rural community and wish to support its residents new and old.

Local Member - Councillor Dorian Phillips is a member of the Planning Committee and has made no prior comment.

Sustainable Drainage Approval Body – SAB approval required.

Dyfed Archaeological Trust – No objection, condition recommended.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice.

27 representations were received, 3 objecting, 24 in support.

The objection refers to:

- The application in no way represents the general understanding of “low impact” due to the number and scale of proposed buildings. The screening of the site will be seasonal due to the natural screening provided being largely deciduous. None of the boundary sharing neighbours were aware or consulted on the application. Many trees in the development area and adjacent to it require evaluation. The visibility at the access off the 60mph road is not sufficient to serve the development. A speed survey should be carried out on the adjacent road.
- There are a significant number of OPD’s going ahead locally already and this will have a detrimental impact on this valley. Planning has been refused on this site recently. The proposed development is not low impact but rather a proposal for a large family home. More locally grown produce to sell to local people will flood a limited market. The owners have sold a house to fund the project.

- The development resembles a small town and will impact on views from land and property. The screening of the site will be affected by the fact that the trees within and adjacent to the site are mostly deciduous. There will be increased traffic, activity and footfall which will produce pollution.

The representation in support refers to:

- Owner of a business selling wholefoods and Welsh foods locally produced wherever possible. Previous experience of trying food grown by the applicants and supportive of locally grown produce.
- Experience of buying honey produced by the applicant's bees for their herbal dispensary and natural healthcare centre. Expresses support for the quality, source location and production methods of the honey. Acknowledges the contribution of bees to the environment.
- Supportive of locally grown produce in general and has been enjoying the applicants produce for the past year which they say makes a valuable contribution to the community also.
- General support for OPD commenting that there is room for more OPD's in the area and that there are conversations as to how OPDs in the area may support each other by working collaboratively or even collectively taking place.
- Uses produce from the applicants for their catering business and finds it of exceedingly high quality. Also comments that there is always a good amount of produce for sale at the entrance to the site.
- Receives produce from the applicant and comment that the applicants are very experience at landworking and stewardship. Supportive of local producers in general and states the development will benefit the local community.
- General support expressed for OPD's, the applicants and the development proposed.
- Experience of buying salad, greens and honey from applicants and welcome the opportunity to buy more from local growers. More OPD's are required across the country.
- Buys produce from the applicant's gate sales and support the proposed development.
- Comments on the high value of service that the applicant's provide to the community and the importance of being able to buy fresh and local food at reasonable prices.
- General support for development. Ample demand for fermented produce that the applicant's plan to produce and sell.
- Fully support the development and comment that more small scale farming/food production is required.
- Has regularly bought produce from the applicants which is of very high quality and an asset to the community.

- Has bought vegetable which are of excellent quality and value for money. Generally supportive of OPD's and the location of the proposed development.
- General support for OPDs and of the applicants and the success of their business so far.
- Apprenticing applicant on a weekly basis as a beekeeper. Buys produce from the gate to feed family and supports the community engagement from visiting the land with children. Generally support expressed for OPD's.
- Buys produce from the applicant and supports development. Support for OPD's in general.
- Supportive of applicant and family and contribution to the local community. Values the applicant's gate sales of fresh veg, plants and seedlings. Supports the development and OPD's in general.
- Supports this One Planet Development.
- Fully support proposal and OPD's in general. The proposed development will sustain the village and nearby areas with organic produce.
- Supportive of development and OPD's in general.
- The applicants are an asset to the local community and economy. Buys produce from market garden and support the development which they comment will not impact negatively on the local area.
- Applicants are hardworking, trustworthy and valuable members of the local community. Support the development and believe the applicant's will be able to meet all stringent requirements that are expected of them through this kind of application.

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

Appraisal

Whether the Proposal Satisfies National Planning Policy Requirements in Respect of One Planet Development

The proposal falls to be considered under national policy on One Planet Development in the countryside that is contained in Planning Policy Wales Edition 10 (PPW) and Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities. Practice Guidance for One Planet Development (OPD) issued in October 2012 provides practical guidance in support of TAN 6. Whilst the Welsh Government supports the principle of low impact development it also places an emphasis on the need to ensure that it is properly controlled.

The Practice Guidance sets out the essential characteristics that all OPDs in the open countryside must have. These are that OPDs must:-

- have a light touch in the environment - positively enhancing the environment where ever possible through activities on site;
- be land based - the development must provide the minimum needs of residents in terms of food, income, energy and waste assimilation in no more than five years;
- have a low ecological footprint - the development must have an initial ecological footprint of 2.4 global hectares per person or less with a clear potential to move to 1.88 global hectares per person over time - these are the ecological footprint benchmarked for OPDs over time;
- have very low carbon buildings in both construction and use;
- be defined and controlled by a binding management plan which is reviewed and updated every five years;
- be bound by a clear statement that the development will be the sole residence for the proposed occupants.

(para 1.9 One Planet Development Practice Guidance)

TAN6 requires proposals for OPD in the open countryside to quantify how the inhabitants' requirements in terms of income, food, energy, and waste assimilation can be obtained directly from site. The land use activities proposed must be capable of supporting the needs of the occupants, even on a low level or subsistence basis, within a reasonable period (no more than 5 years). This should be evidenced by a management plan produced by a competent person(s). The management plan should set out the objectives of the proposal, the timetable for the development of the site and the timescale for review. It should be used as the basis of a legal agreement relating to the occupation of the site, should planning permission be granted. The content of the Management Plan will be assessed against the OPD guidance below.

The proposal will also be assessed against the relevant LDP policies, namely Policies GP1 (Sustainability and High Quality Design), TR2 (Location of Development – Transport Considerations), TR3 (Highways in Development – Design Consideration) and EQ 4 (Biodiversity).

Management Plan

A Management Plan and Ecological Footprint Analysis has been provided and this has been prepared by the applicants setting out how they intend to comply with the OPD requirements.

Business and Improvement Plan

The Business and Improvement Plan is essentially the core of the overall management plan and is made up of a number of elements which are discussed in turn below:-

Land Based Activity

The land based activity element of the management plan centres on justifying the need to live on site and how the site will sustain occupants' minimum food needs and how income

will be derived from the land, within the first five years of first habitation on the site. This is the basis of the need to live on site and the reason why the site should be the sole residence of occupants.

Food production – The Practice Guidance states that OPD should be expected to be able to produce at least 65% of basic food needs on the site or a minimum of 30% on the site with the further 35% being purchased or bartered using the income or surplus produce from other produce grown or reared on the site.

The submitted Management Plan indicates that the applicants' diet is mainly based on fruit, vegetables, nuts, grains, dairy produce and eggs but they do also eat some meat and fish. With the exception of grains and dairy the applicants hope to be able to produce the majority of the food they need on site and additionally intend to produce cheese and yoghurt from milk bartered with other producers. They also propose to experiment with some small scale cereal production.

The applicants' state that from May 2018 they have grown vegetables in the existing vegetable garden and polytunnel and as a result have been producing approximately 20% of their own food needs whilst living off site. The Management Plan provides a breakdown of the yields achieved in 2018 which they state have far exceeded their expectations. The proposals to increase the growing area with further vegetable and soft fruit beds and two additional polytunnels within an adjacent enclosure will provide them with approximately 1500 square metres of growing space. Once this additional growing space is established and livestock are on site the applicants' predict that they will exceed the 65% of food grown/raised on site and 35% land based income by Year 5.

Details of the basic food needs of the applicants are currently £4200 per year and this is predicted to reduce to £1600 by year 5. It is expected that the annual monitoring reports will provide details of crop yields against predicted production however based on the information available and as seen during an inspection of the site the applicants appear to have good experience of vegetable growing and 1500 sq.m should be ample to provide for their family consumption and also for surplus produce to sell. In addition, in terms livestock, the Management Plan indicates that they propose to keep stock in the form of sheep, pigs, ducks and chickens for their own consumption and also for sale.

The information provided appears to be sufficiently detailed and realistic in terms of likely yields from growing areas and based on the yields already achieved by the applicants. The proposed method of no dig vegetable production and types and varieties of produce to be grown with the need for rotation factored in is well considered. Further to this, the dwelling is not proposed to be occupied until Year 3 which allows additional time in the early years for further trial growing and assessment through the monitoring process.

As such based on the information provided it is considered that there is a realistic prospect that the site could grow/rear at least 65% of their food needs by Year 5.

Income - The guidance recognises that even if a site is able to support the majority of the occupants' basic food needs, it is expected that monetary income will need to be generated to enable the purchase of other basic needs, such as clothes, travel, IT/communications and Council Tax and the remaining food needs which cannot be grown or reared on the site or gained through bartering.

OPD's must earn their occupants sufficient income to meet their minimum income needs through sales of produce from the site (which may involve processing and adding value). It may also include other income streams derived from the productive and regenerative capacity of the site, such as from training and education courses, or consultancy directly linked to land based activities on the site. The guidance stresses that these latter activities should be clearly subsidiary to the primary activity of growing and rearing produce. Surplus produce will almost certainly need to be grown or reared on the site to contribute to the above expenditure and to ensure the subsidiary nature of other income streams generated on the site.

The Management Plan includes a breakdown of the applicant's minimum annual needs for the current year and also those predicted by Year 5. The breakdown covers a number of categories and includes those set out in the OPD practice guidance. The figures provided by the applicants are as follows:

Current year: £15,900
Year 5: £7765

To pay for the minimum annual needs items and services, a breakdown of the projected incomes from each of the land based activities is provided estimating the income that will be derived from each land based activity on site. These are shown below and relate to income estimated in Year 1 and then in Year 5 and relate to profit not revenue. Therefore expenditure (the cost of sales) have been subtracted (e.g. raw materials (seeds, compost) packaging etc) costs have been subtracted to derive the figures set out below.

Projected honey production and sales e.g. honey sold in jars

Year 1: £580 net profit
Year 5: £2160 net profit

Projected bee produce production and sales e.g. bees wax

Year 1: £20 net profit
Year 5: £360 net profit

Projected fermented vegetable and production and sales e.g. jars of sauerkraut, fermented cucumbers and fermented courgette sold

Year 1: £425 net profit
Year 5: £1004 net profit

Projected tree and shrub sales:

Year 1: £180 net profit
Year 5: £1030 net profit

Projected sales from vegetable produce e.g. vegetable box sales, vegetable and herb sales to restaurants and gate sales

Year 1: £700 net profit
Year 5: £4300 net profit

Projected sales from and of poultry, pigs and sheep e.g. chicken eggs sales, turkey sales, lamb sales and pork sales

Year 1: £202 net profit

Year 5: £862 net profit

Projected sales of eucalyptus and essential oils e.g. eucalyptus to florists, essential oil sales

Year 1: £0

Year 5: £400

Projected cider and cider vinegar sales

Year 1: -£1600 (due to set up costs)

Year 5: £2,250

In addition, to the above land based enterprises the following further enterprises are proposed to subsidise the income derived from the land based activities listed.

Projected income from children's' cookery courses:

Year 1: £0

Year 5: £190

Rental of processing plant

Year 1: £0

Year 5: £500

Summary of net profit:

Year 1: £242.00

Year 2: £13,257

Taking the above figures into account and the minimum needs costs already referred to, it has been projected that the income proposed to be derived from land based activities could meet the applicants' minimum needs. The Council's Agricultural Advisor (Property Team) has commented on the proposals and states that the yields and potential sales prices appear to be in line with agricultural market prices and that the income target for year 5 is not wholly unrealistic. However, it is considered that there are risks that exist such as the area and quality of the land available and its suitability for the land based enterprises proposed in addition to the likely seasonal and annual fluctuations that can be expected. That said, there are multiple land based activities proposed and this would help to spread the risk. Furthermore, any such issues could only be thoroughly assessed and properly identified and mitigated during the course of the development. The monitoring process would ensure that the OPD targets in terms of food and income are being met and thus that the development is properly controlled.

Occupants – The intention of land based OPDs are to support the minimum food and income needs of the occupants. This is the main reason that justifies in planning terms, such developments. Therefore it is of critical importance that the number of occupants is directly related to the ability of the site to support them and the number of people to run the site effectively.

The Management Plan explains that the applicants (Mr and Mrs Powell) and their three children would reside at the site. As stated above, the information provided within the management plan in respect of food production and income is sufficiently detailed to conclude that, on balance, there is a realistic prospect of the site and proposed development being able to provide for the basic needs of the intended occupants.

In terms of labour requirements, whilst no labour calculations for all the proposed land based activities have been provided with the application, the applicants' indicate that they intend to carry out the majority of work themselves, using volunteers to help as and when required.

The Council's Agricultural Advisor (Property Team) has expressed concern in order to fulfil all of the income and self-sufficiency targets in addition to the other work proposed and family life that the plan is overly complex and labour intensive. This may result in the predicted targets being difficult to meet. Notwithstanding this, the monitoring process would help to ensure that the food and income targets were being met by the applicants and therefore such risks were identified during the course of the development.

Land Management – Paragraph 3.37 of the Practice Guidance states that One Planet Development in the open countryside should have the objective of conserving, managing, and wherever possible, enhancing environmental quality. OPD's should conserve and enhance the site's biodiversity, cultural heritage and landscape. This may include improving soil organic matter, creation of ponds and increasing populations of pollinating insects and natural predators to pests and diseases.

The Management Plan submitted in support of the application includes a baseline description of the site establishing its location, area, shape, boundaries, context and site access arrangements. In support of the Management Plan, the applicants' have also provided LANDMAP assessments and a landscape and visual impact assessment. The baseline information provided also confirms that the site is jointly owned by the applicants on a freehold basis and that there are currently no connected on site services.

The applicants also highlight that the land has been utilised as a smallholding in the past, dating back a number of years. This includes by the applicants' themselves in the more recent past. The site has a number of existing features including woodland, wetland and grassland and the applicants' state that an essential part of their plan involves conservation and improvement of the land and its landscape and biodiversity through maintaining and improving existing habitats and features and also the creation of new ones.

The existing alder and willow copse will act as a natural windbreak to protect the growing area whilst also providing a division between the different areas of the site and acting as a natural corridor for wildlife. In addition to developing and extending the existing growing areas, the lower field will be divided into three areas which are proposed to be planted with new hedgerows to provide new wildlife habitat. The wetter upper area will be used to grow eucalyptus and willow for firewood, oil and foliage. An area of approximately one and a

half acres will be planted as an orchard using a silvopasture agro-forestry system which will allow livestock and poultry to forage between the trees.

As these features mature it is the intention that they would assimilate into the landscape and improve the concentration and variety of habitats and biodiversity which it is considered would have a positive impact whilst also helping to screen the proposed and existing structures within the landscape.

The above commitments are considered positive and comply with the Practice Guidance; however, the applicant will have to provide details of the new landscape features and habitats created as well as evidence of an increase in biodiversity in the annual monitoring report.

Following the baseline assessment of the proposal, the Management Plan includes a design strategy for the proposal which lays out the applicants' aims and objectives for the site. This is supported by a proposed layout plan which highlights the main features, structures and uses of the site. The majority of buildings and structures are proposed to be sited in the northern part of the site and as a whole the development has been designed to follow the principles of permaculture and this is supported by a Zoning Plan to illustrate where the most and least human activity will take place. Zone 0 being the most human activity and Zone 5 being the least.

Energy and Water - Paragraph 3.53 of the Practice Guidance acknowledges that energy and water are both resources which development consumes, and so create environmental impact. It is an essential characteristic of OPD that the use of these resources is minimised and re-used wherever possible and that the energy needs of inhabitants come from the site. The guidance indicates that this should also be the case for water, unless a more environmentally sustainable alternative can be demonstrated.

In terms of energy consumption the Management Plan states that the applicants' intend to meet their energy needs from the site, predominantly by generating electricity through the use of a solar photovoltaic array (5kW solar array with batteries and an inverter) and fuel for cooking and water through biomass production.

The applicants' state that their average electricity usage is currently is 8kWh per day however they anticipate their usage to be reduced when they are on site, with consumption predicted to be higher in summer than in winter. This is due to the use of electricity for cooking and heating in summer as opposed to use of a wood fired boiler cooker and boiler stove using timber derived from site during the winter. Measures to minimise the demand for electricity for the proposed dwelling are also proposed e.g. passive solar gain and careful design of lighting.

The applicant proposes that all electricity on site would be generated by the proposed solar array with excess energy stored in batteries which would provide flexibility of demand and use. Based on the current average electricity consumption of quoted by the applicants' it is possible that the proposed array would produce in excess of their electricity needs. There is currently no grid connection but if one becomes available the applicant has indicated that this will be used to sell electricity back to the grid. This is accepted by the Practice Guidance.

Paragraph 3.62 of the Practice Guidance states that *"all the water needs of all activities should be met from water available on site, unless there is a more environmentally*

sustainable alternative". The application site does not have an existing water supply through mains, borehole or spring. Mains water connection is not possible and therefore the applicants' are proposing to drill a borehole which will provide their domestic water needs and a rainwater collection system would be used for irrigation.

The applicants' have commissioned a feasibility report from Well Drilling UK Ltd which indicates that a borehole at the site is possible without having a negative effect on groundwater reserves. A watercourse which is located beneath the existing hardstanding area near the access to the site provides easy access for drilling and would not cause any damage to the site. Furthermore, the water quality is expected to meet drinking water standards.

The pump is proposed to run from solar power on a dedicated independent circuit to comprising of pump, controller and 4 x 250w panels sited on a small building next to the borehole. Water is proposed to be drawn into a water tank placed behind the small building and then distributed across the site, including to the storage tank proposed to be located in the dwelling.

As stated above, water for irrigation and livestock is already collected via various rainwater harvesting systems. This is proposed to be supplemented further through the collection of rainwater from the roofs of the proposed buildings. Rainwater is anticipated to provide for the majority of water needs for irrigation and livestock with the borehole only used when and if rainwater reserves become depleted.

The management plan therefore predicts that water needs can be adequately catered for on site. This will need to be reported in the annual monitoring.

Waste Assimilation – Waste produced by both domestic and other activities on site is likely to include, domestic food waste, grey water, human waste, packaging and paper, green waste from growing food and timber and livestock manures.

The practice guidance provides essential criteria for the assessment of waste on site. These states:-

- All biodegradable waste on site is assimilated on site in environmentally sustainable ways;
- The only exception to this is the occasional off-site disposal of small non-biodegradable amounts of waste which cannot be assimilated on site which arise from things used on site wearing out or breaking irreparably;
- All waste handling and assimilation on site must comply with Environment Agency guidelines (paragraph 3.75).

The applicants' propose to grow most of their food on site therefore food packaging waste would be reduced and collected by Council refuse services. Any uncooked food waste would be fed to poultry or composted and any cooked waste would be processed and broken down using Bokashi bins and a wormery. Human waste would be collected in the proposed composting toilet and once broken down would be used on the land to boost soil fertility, mainly at the base of trees and shrubs. Animal manure and soiled animal and poultry bedding would be added to compost whilst green waste from tree cutting and the vegetable garden would be fed to livestock where possible or otherwise shredded and

added to the compost. Grey water from the building is proposed to be cleaned in a reed bed system. Inorganic waste which is imported from off site and cannot be decomposed would be minimised, re-used and recycled where possible.

It is considered that the proposed strategy to minimise, assimilate and reuse/recycle waste would meet the requirements of the practice guidance. Furthermore, the applicants' must provide evidence that the re-use of organic waste on site has increased the overall fertility and productivity of the site in the annual monitoring report.

Zero Carbon Buildings

Para 3.105 of OPD Practice Guidance lists the essential criteria in respect of the environmental performance of proposed buildings:-

- Domestic and ancillary buildings will be 'zero carbon' in construction and using the up to date Welsh definition of zero carbon;
- Proposals will identify which structures require Building Regulations approval and is obtained either before or during construction;
- All structures identified for removal in the Exit Strategy are capable of removal with low environmental impact.

The guidance also states that the buildings should make as much use of recycled materials as much as possible.

The information submitted indicates that the dwelling and ancillary buildings will be constructed from local and natural materials and are considered to be sited so as to reduce their visual and landscape impact.

The proposed dwelling would have a two storey design constructed with a timber frame, finished with timber (larch) cladding and a recycled metal roof. Insulation is proposed to be either cellulose (recycled newspaper) or straw bale and reclaimed windows and doors are proposed. The dwelling has been designed to utilise passive solar gain from south facing windows. The proposals for the proposed dwelling are considered acceptable subject to obtaining Building Regulations Approval the outcome of which can be detailed in future monitoring reports.

Existing buildings, including the existing agricultural shed are proposed to be re-used in the development and new ancillary buildings are proposed to be constructed from recycled and/or reclaimed materials where possible.

The applicant also states that the structures and material used in the construction of the dwelling and ancillary buildings can be re-used as part of an exit strategy if the OPD on site fails to meet the commitments and targets in the management plan in year 5.

The Practice Guidance indicates that for the proposed development to be zero carbon in construction and use, OPD buildings must meet the standards of the Code for Sustainable Homes (CSH) in respect of Category 3 (materials). This category covers five main elements of the building and an OPD home is required to achieve a rating of A+ or A6 for at least four of these elements. However, the guidance also recognises that many aspects of the CSH are not suited to assessing the overall sustainability of an OPD home.

Consequently, it advises that where it can be demonstrated that materials without a recognised published rating would have similar attributes to materials this would be acceptable. A rating assessment of similar materials has been provided in support of the current application which indicates that the materials would meet the required standards. As such, and for the reasons set out above it is considered that on balance the development could be low carbon, both in construction and use.

Community Impact Assessment – The essential criteria are that:-

- There is a thorough assessment of all impacts of the proposal on neighbouring communities. One Planet Development in the open countryside should not impact negatively on neighbouring communities.
- Any negative impacts are mitigated.

The Management Plan includes an assessment of positive community impacts and mitigated negative impacts in association with low impact produces, farm and food processing facilities, participation in local economy, open days and conservation of local honeybee populations.

In terms of positive community impacts, these include produce being prepared and sold locally to the community and therefore having a low carbon footprint, making the site accessible for community use and learning opportunities for others including children in addition to increasing the supply of locally bred bee colonies.

Negative community impacts are identified as being potentially traffic generation associated with gate sales, events and other visitors to the site having a negative impact on other local producers.

The extent of the activities taking place at the site must be controlled and their frequency will need to be recorded in the annual monitoring report which the Council will have to assess and approve to ensure that the community impacts are positive. The proposals put forward must not be the dominant use; rather they are to supplement income derived from the site based activities. These will be carefully monitored in the event that applicants' receive planning approval.

In terms of competition with other local producers whilst the applicants' acknowledge that selling their home produce could potentially impact on other local producers they state that their intention is to collaborate with such producers and tailor their produce market to meet market demand. In addition, they state that the total amount of produce grown is only a fraction of the total consumed and as such there is ample demand. Notwithstanding this, consideration of competition is not a material planning consideration.

Transport Assessment and Travel Plan

In accordance with the practice guidance, the applicants' have provided the necessary assessment information in the form of a transport baseline, an assessment of movements proposed to and from the site (by car, public transport walk, bike) along with a Travel Plan which details how vehicle movements can be minimised in respect of each activity the movement is associated with.

The information provided provides a breakdown of the type and frequency of trips per year upon establishment and occupation of the site and a breakdown of the average distances per trip. Strategies to minimise trip generation include combined/shared journeys, purchase of bulk products, using public transport and cycling when possible. The travel assessment estimates the total number of journeys per year by the applicants will be 637 in total and this includes the applicants, visitors and volunteers. Notwithstanding this, it is expected that during the years the site is established that trip generation is likely to be higher.

Whilst the household would primarily be reliant on a car or van for transport it is considered that the applicants' strategy, which if implemented would enable trip generation to be reduced and journeys kept to a minimum, is realistic given the self-sufficient lifestyle proposed.

Notwithstanding the above, the annual monitoring report should detail annual movements to and from the site and look at ways to continually reduce these if the proposals in the Travel Plan are not met.

Ecological Footprint Analysis

PPW requires One Planet Development to initially achieve an ecological footprint of 2.4 global hectares per person or less in terms of consumption and demonstrate clear potential to move towards 1.88 global hectares over time. The submitted EFA indicates that the applicants' current footprint would be 2.64 global hectares per capita, with this falling to 2.07 global hectares per capita upon first habitation and falling to 1.23 global hectares per capita after five years which would exceed the target set out in TAN6 (2.4 global hectares per capita by year five with an overall target of achieving 1.88gHA/capita).

The applicants' must provide the actual figures for assessment and scrutiny by the Council in the annual monitoring report. The results will be interpreted using the current practice guidance and OPD Ecological Footprint Calculator.

Phasing, Monitoring and Exit Strategy

The Management Plan contains a phased programme of works along with a monitoring and exit strategy.

The applicants' management plan provides a timeline of the key site developments, explaining what is anticipated in years 0-5 and then for year 6 and beyond. The applicants will live in temporary accommodation on site until Year 3 when it is anticipated the dwelling will be completed.

The annual monitoring report will provide details of the progress made along with a re-run of the ecological footprint analysis and a condition will be included to this effect. Commitments which have not been reached will have to be evidenced in the annual monitoring report. Critical failures need to be remedied with solutions and of how quickly they can be achieved. The Council will assess the monitoring report criteria outlined in the practice guidance.

The One Planet Development Practice Guidance indicates that the management plan should outline an exit strategy if the development fails to achieve one or more of the

essential characteristics of One Planet Development (para 1.9) over a period of two years without instituting clear and effective measures to address the identified problems.

The developer has indicated in their management plan that the aim of the exit strategy would be to return the land to solely agricultural use, in equal or better condition than the base date should the exit strategy need to be invoked. The exit strategy recognises that the residential use would need to cease and that this would involve the dwelling's removal and removal of other buildings and structures as necessary. It is proposed that any non-degradable materials would be re-used off site and any natural materials would be allowed to compost on site. The exit strategy also states that the dwelling and all other buildings and structures will be designed so as to be easily removed from the site to be recycled elsewhere.

Other Planning and Material Considerations

Impact on the Character and Appearance of the Area

The dwelling would be sited to concentrate the main built development at the north of the site and would also benefit from the screening provided by the existing trees and vegetation. The proposal's relatively concealed location also means that it is unable to be readily viewed from the wider area. Furthermore, additional planting in the form of trees, shrubs and hedgerows is proposed as part of the development and this will ensure that the proposal enhances the landscape as the development becomes established.

The dwelling would have five bedrooms and comprise a two storey, pitched roof design that would be sited at an angle towards the south west, with much of the south west elevation glazed to maximise solar gain. The proposed length of the dwelling is 14.6m, width 8.8m and height 8.5m. It is not proposed to incorporate any traditional architectural features that are typical of rural dwellings (i.e. two storey, symmetrical/vertical windows, double fronted), however, One Planet Development dwellings are designed to be zero carbon and this inevitably leads to the eschewing of traditional features in favour of large glazed south facing elevations and timber facades. The dwelling intends to be zero carbon (subject to Building Regulations approval) and the proposed materials details are provided earlier in the report. On balance, it is considered that the proposed dwelling has an acceptable impact on the character and appearance of the area.

The proposed extension to the existing portal framed building and proposed ancillary buildings are also considered to be of an acceptable scale, design and external appearance. The proposed buildings would again be sited in the northern portion of the site which would concentrate the built development in one place in order to reduce any visual impact in this countryside location.

Concerns have been raised by objectors that the existing screening of the site is largely provided by deciduous trees. Whilst there will be times of the year when the screening of the site would be reduced and therefore the proposed development would be more visible, it is considered that the scale and appearance of the proposed dwelling and ancillary buildings would be acceptable. Furthermore, additional proposed planting included as part of the proposals will result in further screening being provided.

Residential Amenity Impacts

There are existing dwellings adjacent to and opposite the site. The distance maintained between the existing dwellings and the proposed development is such that it is not considered that overlooking is an issue nor is the physical impact of the proposal upon the amenity of the occupiers of neighbouring dwellings. As such it is considered that the proposal would accord with Policy GP1 having regard to residential amenity.

Transportation and Highway Safety

The application site has an existing access which is currently in use and has historically been used by previous owners including when the site operated as a smallholding. The Head of Highways and Transportation has responded to consultation with no objection to the proposal on the basis that movements to and from the site are likely to be low over the course of the year. Inevitably, there will be traffic generation in the early stages of the development due to the need for transport of construction materials etc. However, given that the applicants' propose to be living at the site with a significant amount of food requirements gained from the land, the need for journeys should be below that required of the conventional dwelling. Furthermore, the applicants themselves will and people visiting the site will be encouraged to, use sustainable means such as public transport, car sharing and bicycle. It is also noted that activities that take place on the site could result in sudden increases of traffic coming to and from the site. However, these are not expected to occur on a daily basis. Dedicated space for parking is shown on the submitted site plan and there appears to be ample space within the site for turning to allow vehicles to exit the site in a forward gear.

The Head of Highways and Transportation has recommended conditions, including a condition requiring the provision of a visibility splay at the site access. The conditions will be included in order to ensure the access remains acceptable having regard to highway safety. The proposal is therefore considered to accord with Policies TR3 and TR4 of the LDP.

Ecology

The application is supported by an Ecological Survey by Aderyn Ecology, undertaken in February 2019. Whilst there are no designated conservation sites within 2km of the site the survey report identifies three priority habitats within the application site: Pond, stream and hedgerows with trees. Badgers, a variety of bat species, and otter (assumed as potentially present) are the identified protected species on site in addition to reptile and amphibian species and breeding birds.

The survey report concludes that there are no predicted negative impacts on existing features of ecological importance. The existing priority habitats will be kept intact, the habitat quality will improve for certain birds and foraging bats, amphibian populations are likely to increase and there will be continued access for badger and otter to forage. Additional enhancement measures are proposed such as the inclusion of bat roost features in any proposed buildings.

The Council's ecologist has raised concern that the visibility splay as recommended by Highways and Transportation would affect the site's frontage hedgerow which is classed as species rich in the ecological survey. Notwithstanding the comments from both Highways and the Ecologist it is evident from a review of the planning history that the access is existing and the requirements in terms of recommended visibility are not over and above those imposed by conditions on previous planning permissions. A condition

will be included requiring full details of any works proposed to the frontage hedgerow as a result of the provision of the visibility splays.

As such, provided submitted ecological survey report, recommendations and enhancement measures are adhered to it is considered that the scheme would comply with Policy EQ4 in respect of biodiversity.

Other Matters

Three representations have been received objecting to the proposed development. The concerns raised by objectors have been addressed in the preceding paragraphs of the report.

Planning Obligations

The application is subject to a Section 106 agreement to tie the dwelling to the land and include a commitment that the dwelling will be the sole residence of the occupants.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

The proposed development complies with Technical Advice Note 6: Planning for Sustainable Rural Communities (2010) and the accompanying One Planet Development Practice Guidance and policies GP1, TR3, EQ4, EQ5, of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the proposal is supported by sufficient information to demonstrate that there is a strong prospect that the proposal would substantially meet the One Planet Development criteria within the required timescales. The proposal would not have a detrimental impact upon the character and appearance of the area and includes various proposals to improve the site's environment and biodiversity and would not have an unacceptable impact on residential amenity. The submitted information indicates that the development would achieve an initial ecological footprint of 2.4 global hectares per person with proposals to further reduce the footprint to well below the overall target of 1.88 global hectares per person as set out in the One Planet Development policy and practice guidance documents. The development would not have an unacceptable impact upon highway safety.

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:-
- 1:1000 scale Location Plan received 8th May 2019;
 - 1:1500 scale Site Plan (showing temporary accommodation) received 21st May 2019;
 - 1:100 scale House – Elevations received 8th May 2019;
 - 1:100 scale House – Floor Plan received 8th May 2019;
 - 1:100 scale Processing unit – Floor Plan & Elevations received 8th May 2019;
 - 1:100 scale Shed Floor Plan & Elevations received 8th May 2019;
 - 1:100 scale Workshop – Floor Plan and Elevations received 8th May 2019;
 - Landscaping Plan NTS received 8th May 2019;
 - Landscape and Visual Impact Assessment received 8th May 2019;
 - Ecology Survey Report by Aderyn Ecology received 8th May 2019;
 - One Planet Development Management Plan by Brendan and Ludka Powell dated May 2019 received 8th May 2019 as supplemented by the following documents:-
 - Historic Landscape Report received 8th May 2019;
 - Visual and Sensory Report received 8th May 2019;
 - Landscape Habitat Report received 8th May 2019;
 - Geological Landscape Report received 8th May 2019;
 - Soil Analysis Results received 8th May 2019;
 - Soil Analysis Report received 8th May 2019;
 - Basic Compliance Report received 8th May 2019;
 - Ecological Footprint Calculator received 8th May 2019.
- 3 The development hereby approved shall be carried out in full accordance with the One Planet Development Management Plan (including the objectives, phasing and monitoring requirements) by Brendan and Ludka Powell dated May 2019.
- 4 No later than 1 April each year, commencing in the second year after development commences, the occupiers of the site shall submit to the Local Planning Authority an Annual Monitoring Report giving details of the activities carried out during the previous calendar year (1 January to 31 December), setting out performance against the One Planet Development essential criteria as stated within the One Planet Development Management Plan by Brendan and Ludka Powell dated May 2019. Where the report identifies that the expected performance targets against any of the essential criteria has not been met, the report shall also set out corrective or mitigating measures sufficient to address the identified deficiencies in performance. These measures shall be implemented, in full and within the timescales stated, as set out in the report and shall form the basis of assessment, along with the original One Planet Development Management Plan for the subsequent Annual Monitoring Report.
- 5 No development shall commence until the local planning authority have been informed in writing of the name of a professionally qualified archaeologist who is to be present during the undertaking of any excavations in the development area so that a watching brief can be conducted. No work shall commence until the local planning authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the local planning authority within two months of the archaeological fieldwork being completed.

- 6 Full details of the location, design, construction and materials of the proposed temporary accommodation shall be submitted to and approved in writing prior to being brought on site. The proposed temporary accommodation shall be permanently removed from the site on first occupation of the dwelling hereby approved.
- 7 Prior to commencement of the development of the dwelling hereby approved, full details of the design, construction and materials shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8 Prior to their construction on site, full details of the external appearance and details of the construction of the proposed polytunnels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 9 Prior to the residential occupation of the site, a visibility splay of 2.0 metres x site extents shall be provided either side of the site and shall be retained thereafter in perpetuity. There shall at no time be any obstruction above 0.9 metres within this splay area.
- 10 Prior to the provision of the visibility splays as required by condition 9, a detailed impact assessment of the works required to the hedgerow and tree vegetation either side of the existing access to accommodate the visibility splays shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall detail the visibility splays and splay detail on a plan drawn to a recognised scale and must describe any impacts to hedgerows and trees including lengths of habitat affected and how any impacts will be mitigated.
- 11 The parking spaces and layout shown on the plans herewith approved 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.

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.
- 3-4 To ensure commitment and compliance with the objectives of TAN6 and the One Planet Development Practice Guidance and to avoid the creation of an unencumbered dwellinghouse in the open countryside contrary to national and local planning policies.
- 5 To protect historic environment interests whilst enabling development to accord with Policy EQ1 of the Carmarthenshire Local Development Plan adopted December 2014.
- 6-8 In the interest of the character and appearance of the area to accord with Policy GP1 of the Carmarthenshire Local Development Plan adopted December 2014.

9-11 In the interest biodiversity and highway safety to accord with Policy EQ1 and TR3 of the Carmarthenshire Local Development Plan adopted December 2014.

Notes/Informatives

- 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 This permission is subject to the clauses set out in a Section 106 Agreement that ties the dwelling to the land to ensure that the proposal complies with the requirements of the One Planet Development Policy and Practice Guidance documents and avoids the creation of an unencumbered dwelling in the open countryside contrary to national and local planning policies.
- 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/39008
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Application Type	Outline
Proposal & Location	ERECTION OF A DWELLING AT LAND AT MAESYFFYNNON, LLANGYNOG, SA33 5DA

Applicant(s)	MR RHYS BOWEN, GARREG GOCH, REDSTONE COURT, NARBERTH, SA67 7EU
Agent	MORGAN & DAVIES, 4 MARKET STREET, ABERAERON, CEREDIGION, SA46 0AS
Case Officer	Paul Roberts
Ward	Llansteffan
Date of validation	19/06/2019

Reason for Committee

This application is being reported to the Planning Committee upon the request of the local member, County Councillor Carys Jones, for reasons of local need and social circumstances.

Site

The application consists of a rectangular parcel of land that forms part of an elongated field enclosure that flanks the northern side of the C2081 in a countryside location to the north of the village of Llangynog. The site forms the north eastern part of the field enclosure and is located adjacent to a large detached domestic garage and associated parking and garden area which forms part of the curtilage of the detached bungalow of 'Maes-y-Ffynnon' located on the opposite side of the C2081. The garage has its own access onto the roadway.

The site has a road frontage of 43 metres and extends to a depth of approximately 20 metres. It is bounded to the front and rear by established hedgerows and has no defined south western boundary to separate it from the remainder of the field enclosure. The land slopes gently towards its rear boundary.

The surrounding area is rural in character consisting of a scattering of farmsteads and dwellings with no defined settlement. There are two detached bungalows on the opposite side of the road to the site and a small farmstead further to the east along the C/2081. The village of Llangynog is located some 1.7 kilometres to the south east of the site along the

C2081. The A40 between Carmarthen and St Clears is located approximately 1km to the north of the site with the village of Bancyfelin located beyond this.

Proposal

The application seeks outline planning permission for the erection of a detached dwelling on the site with details of the proposed means of access to the dwelling being put forward for consideration as part of the application. The access is to be located in the north eastern corner of the site and will involve the removal or translocation of the existing hedgerows either side in order to provide the necessary visibility splays along the roadway.

The application has been accompanied by indicative details of the layout and design of the dwelling which show the dwelling and its parking area being positioned in the north eastern half of the site with the remainder of the land providing a generous garden area. The dwelling is shown to consist of a detached four bedroom dormer style bungalow with a front gable projection. Elevational treatments are shown to consist of rendered and stonework elevations and a slated roof.

The supporting statement confirms that the dwelling is to provide a family home for the applicant and his young family. The applicant previously lived in the family home, Maes-y-Ffynnon, on the opposite side of the road for 25 years having been born and raised in the local area. He and his wife both work in Worthybush Hospital in Haverfordwest and currently live in Narberth. They are looking to return to the local area to, amongst others, allow their two young children to attend local schools and nurseries and to be closer to family members. Reference is also made to the potential of a new hospital being built in the St Clears/Whitland and the statement suggests that the applicant's move to the local area will provide an opportunity for them to secure positions in the new hospital.

The statement opines that they are unable to afford a suitable three or four bedroom property that would provide the required space for the family together with off road parking, a garage and suitable garden in a rural area. It is suggested that the cost of a suitable three bedroom property that would meet their needs would range from £230,000 to £290,000 with prices for four bedroom properties averaging £400,000 and above. On this basis, they suggest that they have no alternative other than to apply to build a dwelling on the site which is owned by the applicant's family.

The applicant has confirmed that permission is sought for an open market dwelling with no local need or other form of restricted occupancy.

Planning Site History

There is no relevant planning history.

Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP5 Housing
- GP1 Sustainability and High Quality Design
- GP2 Development Limits

- H2 Housing within Development Limits.
- AH1 Affordable Housing
- AH3 Affordable Housing – Minor settlement in the open countryside
- TR3 Highways in Developments – Design Considerations

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Head of Highways and Transport – Response awaited.

Llangynog Community Council - No objection.

Local Member - County Councillor Carys Jones is a member of the Planning Committee and has requested that the application be determined by the Planning Committee on the basis of local need and social circumstances.

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

Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice within the vicinity of the site. No third party representations have been received to date.

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

Appraisal

The main issue in the determination of the application is the site's location in the countryside and its suitability for a new dwelling.

The application site is located outside the development limits of any recognised settlement defined in the Local Development Plan. Whilst it is close to two existing bungalows and a small neighbouring farmstead, it nonetheless falls within the open countryside some 1.7 kms to the north of the village of Llangynog and 1.5 kms to the south of the settlement of Bancyfelin. The application makes reference to the applicant's family circumstances and the need to have an affordable dwelling in the local area wherein he was born and raised, however, notwithstanding this, the applicant has confirmed that permission is sought for an open market dwelling rather than an affordable local needs dwelling. Members will be aware that Policy AH3 of the Local Development Plan allows for the provision of the latter outside the development limits of settlements subject to a number of qualifying criteria where there is a genuine identified local need. These include the need for the dwelling to be affordable in its scale and design and to be retained as an affordable local needs dwelling for subsequent occupants.

The site's location outside the development limits of any settlement means that the proposal would represent an unjustified form of development in the open countryside that would be at odds with the requirements of Policies GP2 and H2 of the Local Development Plan which permit housing developments within the development limits of settlements. Moreover, the proposal is in conflict with the policy objectives of paragraph 4.2.24 of Planning Policy Wales (Edition 10) December 2018 which states that new housing in the open countryside away from established settlements recognised in development plans should not be permitted.

In addition, the introduction of the new dwelling into the field enclosure would also have an urbanising effect whereby it appear as a piecemeal development that would wholly alter the appearance of the site and detract from the rural character of the surrounding countryside. In this regard, it would be in conflict with the requirements of Policy GP1 of the Local Development Plan in that it will not conform with or enhance the character and appearance of the site or surrounding area.

Finally, given the proposal relates to the provision of an open market dwelling, Policy AH1 requires that a financial contribution be made to the provision of affordable housing in the local area. This contribution is based upon a figure of £77.58 per square metre of internal floor space of the proposed dwelling. Whilst this has not been pursued with the applicant given the fundamental objection to the development as outlined above, nonetheless the applicant's failure to provide a unilateral undertaking securing the contribution means that the proposal is in conflict with the requirements of Policy AH1.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

The policies of the LDP support the provision of an affordable dwelling outside the development limits of settlements where it is required to meet a genuine identified local need. Whilst the applicant's supporting information demonstrates his long standing links with the local area and sets out the need for an affordable dwelling to allow him to return to the area with his family, he is nonetheless seeking an unencumbered open market dwelling rather than a local needs dwelling as permitted under Policy AH3 of the Plan.

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal represents an unjustified development in the open countryside that is at odds with the policy objectives of the Local Development Plan and those of National Planning Policy. The application is therefore recommended for refusal.

Recommendation – Refusal

Reasons

- 1 The proposal is contrary to Policy GP1 “Sustainability and High Quality Design” of the Adopted Carmarthenshire Local Development Plan (2014) in that proposal is located outside the development limits of any recognised settlement defined in the Local Development Plan and would represent an unjustified form of development in the open countryside. Moreover, the proposal would be detrimental to the rural character and appearance of the surrounding area.
- 2 The proposal is contrary to Policy GP2 “Development Limits” of the Adopted Carmarthenshire Local Development Plan (2014) in that proposal is located outside the development limits of any recognised settlement defined in the Local Development Plan and would represent an unjustified form of development in the open countryside. Moreover, the proposal would be detrimental to the rural character and appearance of the surrounding area.
- 3 The proposal is contrary to Policy H2 Housing within Development Limits” of the Adopted Carmarthenshire Local Development Plan (2014) in that proposal is located outside the development limits of any recognised settlement defined in the Local Development Plan and would represent an unjustified form of development in the open countryside. Moreover, the proposal would be detrimental to the rural character and appearance of the surrounding area.
- 4 The proposal is contrary to Policy AH1 “Affordable Housing” of the Adopted Carmarthenshire Local Development Plan (2014) in that the applicant has failed to submit a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 securing a financial contribution towards the provision of affordable housing as part of the proposal.