

**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 TACHWEDD 2020
ON 17 NOVEMBER 2020**

**I'W BENDERFYNU/
FOR DECISION**

***Ardal
Dwyrain/
Area East***



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod 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 NOVEMBER 2020
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NOS.
E/40465	Split level dwelling and associated engineering works at land adjacent to 214 Cwmamman Road, Garnant, Ammanford, SA18 1LE	9 - 16
E/40598	Outline permission for construction of 2 dwellings at land adjacent to Erwain, Caer Bryn Road, Penygroes, Llanelli, SA14 7PH	17 - 26

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/40465
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	SPLIT LEVEL DWELLING AND ASSOCIATED ENGINEERING WORKS AT LAND ADJACENT TO 214 CWMAMMAN ROAD, GARNANT, AMMANFORD, SA18 1LE

Applicant(s)	MR KEITH JONES
Agent	IPLAN ARCHITECTURE LIMITED – CARL QUICK
Case Officer	Andrew Francis
Ward	Garnant
Date registered	20/04/2020

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 of a broadly rectangular vacant plot of land off the north east flank of the A474 Cwmamman Road adjacent to No. 214 Cwmamman Road in the village of Garnant. The land currently is set at two levels, with what would be the front of the site, to the south west fronting Cwmamman Road, currently used as a parking and turning area for 212 Cwmamman Road. Beyond this to the north east, the land steps down in level, where the rear of the site backs onto the private cul de sac known as Parc Glanffrwd.

The site currently accommodates two old sheds on the lower level which is somewhat overgrown. It is known that a public sewer runs through the site from north west to south east, towards the rear of the plot and that an old concrete culvert also runs through the site from east to west, towards Parc Glanffrwd.

The plot has a road frontage measuring 13 metres and a depth of 30.5 metres. The plot width along the rear boundary measures 17.4 metres. The plot has an overall area of 444 square metres. There is an approximate 4 metre drop in the site level from the road level to that at the rear of the site.

Proposal

Full planning permission is sought for the construction of one split level, three bedroom dwelling on the above described plot. The proposed dwelling measures 9.22 metres in width by 9.22 metres in depth, with a slight front gable projection. As the dwelling is split level, the front elevation has the appearance of a bungalow, with a height of approximately 4.9 metres. The rear elevation is the two storey elevation and this presents a height of 7.8 metres.

Internally, the proposed dwelling seeks to provide a living room, dining room/kitchen, utility room and WC on the ground floor with four bedrooms (two en-suite) a family bathroom and a store at first floor level.

Externally, the proposed dwelling seeks to have smooth white rendered walls, a blue pennant stone feature gable finish, a low blue brick plinth, slate roof, grey aluminium doors and windows, grey uPVC fascias and soffits and black uPVC rainwater goods.

The rear garden is to be graded and lawned, with a 1.8 metre timber fence around the rear boundaries. The front wall is to be reduced to 900mm in height, and partly rebuilt in random stone at the access to the parking and turning area. Three parking spaces are proposed within the front courtyard area.

Planning Site History

There is no relevant planning history on the application site.

Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP2 Climate Change
- SP3 Sustainable Distribution- Settlement Framework
- GP1 Sustainability and High Quality Design
- GP2 Development Limits
- H2 Housing within Development Limits
- AH1 Affordable Housing
- TR3 Highways in Developments – Design Considerations
- EP3 Sustainable Drainage

[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 – recommends conditions.

Cwmamman Town Council – No observations received to date.

Local Member – The Local Member, Councillor K Madge, is a Member of this Planning Committee and has therefore made no prior comment.

Land Drainage – Offers no comments to the proposal.

Dwr Cymru Welsh Water – No objection, advises of the location of a public sewer and that no development shall occur within 3 metres either side of the centreline of this sewer.

The Coal Authority – Offers no objection subject to the imposition of conditions.

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

Summary of Public Representations

The application was the subject of notification by way of site notices. Four representations were received objecting to the proposed development. The matters raised are summarised as follows:

- The surface water coming down from Ceidrim Road enters a very old concrete shallow culvert that runs under the application site and joins the Parc Glanffrwd's drainage at the frontage of No. 11. The proposed development could cause this culvert to collapse and flood the surrounding lower area, which is an unadopted site maintained by the residents.
- This proposal could cause extra parking problems on the A474, which is already a big issue.

Appraisal

Principle of the Development

The application site is located within the development limits of Garnant, categorised as being a Local Service Centre (T3) within the a within the Local Development Plan's (LDP) settlement framework. The proposal for the development of one dwelling within the development limits of a Local Service Centre 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

Taking into account the above description of the site and proposal, the submitted plans show that the proposed dwelling is sited acceptably within the suitably large plot and can do so in such a way that would not demonstrably harm the residential character and appearance of the area. The adjacent dwellings occupy plots of a commensurate size and the proposed dwelling will be situated broadly on the logical building line of the adjacent houses taking into account the required parking and turning area.

Similarly, the scale of the proposed dwelling is also sensitive to the surrounding built form, whilst also making effective use of the change of site levels to provide an efficient use of space. The materials proposed are modern but quite typical of the area, being render, stone cladding and slate so shouldn't appear incongruous in the street scene. The simple rear garden laid to lawn with a 1.8 metre timber boundary fence is also simple and acceptable and will improve the current situation.

No objections or observations have been raised regarding the principle of the development or the effect of the proposal upon the general character of the area.

Therefore, this proposed development would not, on balance, have an unacceptable impact upon the character and appearance of the area. The application is therefore considered to comply with Policy GP1(a) of the LDP.

Drainage

The four letters of objection received all advise of an old shallow concrete culvert that runs down the slope from the Ceidrim Road direction to the west, runs through the site and through No. 11 Parc Glanffrwd. The concern is that the proposed development could damage this culvert which could lead to flooding and affect the houses of Parc Glanffrwd which are at a lower level. The Agent has submitted amended plans which shows the location of this culvert and advises that the development will include improvements and a diversion of this culvert around the proposed dwelling which should improve the reliability of this apparatus. It should also be noted that the proposal will also be subject to a separate Surface water Advisory Body (SAB) Application which will deal formally with these issues.

Dwr Cymru Welsh Water also advise that a public sewer runs through the site. The submitted plans show the location of the sewer which indicate that the proposed dwelling exceeds Dwr Cymru's requirement of a 3 metre easement each side of the centreline of this sewer.

As such, based on the above details, the proposed development provides all the details required to show that both the surface water and foul water apparatus that may be affected by this proposed development, are to be dealt with acceptably and should not cause any harm to the infrastructure or the occupiers of the neighbouring properties. As such, the proposed development is considered to accord with policy EP3 of the LDP.

Impact upon Highway Safety

The access to the site is proposed to be obtained directly off Cwmamman Road and is already in use for vehicle parking for the existing owner of the site.

The objectors also raised concern that this development could cause extra parking on Cwmamman Road, which is stated as being a current issue, presumably as the existing parking space will be diverted onto the road. The Head of Highways and Transportation offers no objection to this proposal advising that the development provides a suitable parking and turning facility to serve the dwelling, whilst the existing parking bays sited on Cwmamman Road are capable of accommodating the parking offset from the site.

It is therefore considered that, subject to the imposition of conditions, the proposed development complies with Policy TR3 Highways in Developments – Design Considerations in terms of the proposed access.

Living Conditions of Neighbouring Occupiers

Based on the submitted plans it is considered that the site is capable of accommodating the proposed dwelling and it demonstrates that it would sit comfortably within the site, and will be commensurate to the scale and form of the other dwellings within the area. The spatial arrangement means that the design of the dwelling along with its window layout should not

unduly impact upon the privacy and living conditions of the occupiers of the neighbouring properties. Furthermore, the appropriate boundary treatments will provide additional screening of the development and further safeguard the amenity of neighbouring properties. It is therefore considered at present that the proposal complies with Policy GP1(d) of the LDP. It is the case however that this will be further scrutinised at the reserved matters stage when further details are submitted for consideration.

Planning Obligations

The applicant has advised that they are in the process of finalising a Unilateral Undertaking agreeing to pay the requisite commuted sum contribution to affordable housing in accordance with Policy AH1 of the LDP. The contribution amount in this area of the County is equivalent to £41.98 per sqm of the internal floorspace of the dwelling which equates to £5,457.17.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposed development is acceptable in principle and the submitted information confirms that the site, which is within the defined settlement limits of Garnant, is capable of accommodating the proposed dwelling without having an unacceptable impact upon the character and appearance of the area or the living conditions of neighbouring residents. The concerns regarding impact of the development on highway safety are acknowledged, however, the Head of Transport advises that the proposed access and parking/turning area is acceptable to serve the development, whilst the development would not cause harm to the foul or surface water drainage at this site. The applicant has also agreed to pay a financial contribution towards affordable housing secured by way of a Unilateral Undertaking. The application is therefore considered to comply with policies SP1, SP2, SP3, GP1, GP2, H2, AH1, TR3 and EP3 of the Carmarthenshire Local Development Plan and is recommended for approval subject to the Unilateral Undertaking and the following conditions:

Recommendation - Approval

Conditions and Reasons

Condition 1

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

Condition 2

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

- Location Plan, Block Plan and Existing Site Layout Plan at scale 1:1250, 1:500 & 1:100 [19.225.01a] @ A1 received 30 October 2020;
- Proposed Block Plan and Site Layout Plan at scale 1:500 & 1:100 [19.225.02a] @ A1 received 30th October 2020;
- Proposed Floor Plans and Elevations at scale 1:50 & 1:100 [19.225.03] @ A1 received on 25 March 2020;
- Proposed Site Sections, Drainage and Joist Layout [19.225.04 @ A1.

Reason: To ensure that the development is implemented in accordance with the approved details.

Condition 3

The first floor windows serving Bedroom 2 and Bedroom 3 on the North West Elevation as indicated on the approved plans 19.225.03 shall be glazed in obscure glass and maintained as such thereafter in perpetuity.

Reason: In the interests of neighbouring amenity and to accord with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 4

The access, visibility splays, parking spaces and turning area shown on the plans hereby approved 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, parking spaces or turning area, are to be obstructed by non-motorised vehicles.

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

Condition 5

No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of continued residential safety and amenity.

Condition 6

Where the findings of the intrusive site investigations (required by condition 4 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason: In the interests of continued residential safety and amenity as the site is in a high risk area due to former coal mining.

Condition 7

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: 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.

Condition 8

The proposed development site is crossed by a public sewer. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Notes/Informatives

Note 1

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

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

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

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

Note 2

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

Note 3

The applicant/developer's attention is drawn to the legal agreement related to this application pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £41.98 per square metre internal floor area amounting to £5457.17 required by policy AH1 of the LDP.

Application No	E/40598
-----------------------	----------------

Application Type	Outline
Proposal & Location	OUTLINE PERMISSION FOR CONSTRUCTION OF 2 DWELLINGS AT LAND ADJACENT TO ERWAIN, CAER BRYN ROAD, PENYGROES, LLANELLI, SA14 7PH

Applicant(s)	MR MARK LANGLEY
Agent	BROWN PARTNERSHIP – NICK BROWN
Case Officer	Andrew Francis
Ward	Penygroes
Date registered	18/05/2020

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 of the large front garden area of the existing dwelling known as Erwain, off Caerbryn Road, Penygroes. The dwelling and its current curtilage is situated off the northern flank of Caerbryn Road within a cul de sac of 5 dwellings, three of those served off the same private drive. Caerbryn Road in this location is fairly narrow and fairly close to the Waterloo Road junction. The cul de sac is sited adjacent to Penygroes C P School and is elevated off the Caerbryn Road level.

The dwellings on the cul de sac are in a random arrangement, based on the individual way the plots were sold and the dwellings were sited upon them. The designs and materials are also quite different to each other so there is no set pattern or vernacular to follow.

The application site is broadly rectangular in shape and measures 38 metres along the rear boundary, 38.5 metres along the front boundary, 43.6 metres along the southern side boundary and 35 metres along the northern side boundary. The two proposed plots would be sited to the front (south) of the existing dwelling, with the existing dwelling able to retain a large garden measuring approximately 55 metres in depth by 27 metres in width.

Proposal

Outline planning permission is sought for the construction of two dwellings with the matter of access and layout also submitted for approval. The matters concerning appearance, scale and landscaping are to be considered at the later reserved matters applications stage subject to first gaining outline planning permission. The proposed layout for approval shows that the two dwellings would be sited with the roof apex in a broadly north east/south west alignment with the front facing east and the rear facing west. Each dwelling is shown as having both a front and rear garden, slightly larger for plot 1, but each fairly generous. Three parking spaces are also provided to the front of each dwelling along with a turning area.

Scale is to be considered as a future Reserved Matter. However, legislation requires that scale parameters for each dwelling shall be provided for consideration at Outline stage and are as follows:

Dwelling:

Width: 13m maximum

Depth: 6.7m maximum

Height (to ridge): 6.5m maximum

Height (to eaves): 2.75m maximum

The access to the site is proposed to be obtained off the existing shared private drive that serves the existing 3 dwellings, which would make a total of 5. The minimum width of this driveway is 3.5 metres, but is wider in places.

Planning Site History

The following previous application has been received on the application site:-

E/25849	Dwelling Outline planning permission	07 February 2012
---------	---	------------------

Planning Policy

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

SP1 Sustainable Places and Spaces
SP2 Climate Change
SP3 Sustainable Distribution- Settlement Framework
GP1 Sustainability and High Quality Design
GP2 Development Limits
H2 Housing within Development Limits
AH1 Affordable Housing
TR3 Highways in Developments – Design Considerations
EP3 Sustainable Drainage
EQ7 Development within the Caeau Mynydd Mawr SPG Area

[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 – recommends conditions.

Llandybie Community Council – No observations to make.

Local Member(s) – The Local Member, Councillor D Thomas, has not commented to date.

Land Drainage – SAB approval is required.

Dwr Cymru Welsh Water – No objection, recommends conditions.

The Coal Authority – No observations received to date.

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. Three representations were received objecting to the proposed development from two respondents. The matters raised are summarised as follows:

- The proposed development is totally out of keeping with the existing development which is all bungalows.
- The access road is privately owned and for the benefit of the 3 existing properties and won't be able to cope with the 66% increase in traffic. Permission will be required from the other private driveway owners.
- Question 11 of the Application Form states that the proposal isn't within 20 metres of a water course when one adjoins the site. The watercourse is already prone to flooding during heavy rain and in turn poses a threat to nearby properties. Overflow regularly floods the access road.
- Surface water runoff from the currently grassed development site already causes flooding to neighbouring properties, which the applicant is aware of, yet the site is to have more hard landscaping and the property footprints, yet is proposed to be drained by a sustainable drainage system. This will undoubtedly exacerbate the system.
- How will the site's foul water be drained? The application form says it will be via mains sewer, but there is no obvious means of accessing that sewer which is over 50 metres away on Caerbryn Road.

Appraisal

Principle of Development

The application site is located within the development limits of Penygroes, categorised as being within the Ammanford/Cross Hands Growth Area within the Local Development Plan's (LDP) settlement framework. The proposal for the development of two dwellings within the development limits of a growth area 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

Taking into account the above description of the site and proposal, along with the objections received, the submitted site layout, which is to be considered as a Reserved Matter shows that the two proposed dwellings are sited within suitably large plots and can do so in such a way that would not demonstrably harm the residential character and appearance of the area. The existing dwelling of Erwain itself retains a large plot with large gardens remaining and the two proposed dwellings would have rear gardens of at least 16 metres in depth with a front amenity area of at least 12 metres. Furthermore, the objection claim that the existing dwellings being exclusively bungalows would also mean that this proposal would harm the area does not stand up to scrutiny. The scale parameters of the proposed dwellings are to be set with an eaves height of 2.75 metres at maximum which would be a height expected of a bungalow or dormer dwelling, whilst the maximum ridge height of 6.5 metres is also consistent with that of a bungalow with a large roof or a dormer dwelling, which, it is considered would fit acceptably well at this location. This view is further strengthened by the mixture of designs and external finishes of the existing dwellings of the cul de sac.

As explained above the application is for outline planning permission only with most detailed matters reserved except access and layout. Detailed design matters relating to the appearance and final scale of the dwelling (within the maximums stated above) and landscaping are for determination at the reserved matters application stage. As such, a suitable landscaping scheme together with appropriate boundary treatments can be secured at reserved matters stage and will further ensure that the development can be acceptably integrated with its surroundings and in relation to existing dwellings.

Therefore, subject to an acceptable design which will be considered at the reserved matters stage, development of the site for a dwelling would not, on balance, have an unacceptable impact upon the character and appearance of the area. The application is therefore, at this stage, considered to comply with Policy GP1(a) of the LDP.

Living Conditions of Neighbouring Occupiers

Based on the proposed layout it is considered that the site is capable of accommodating the two dwellings that would sit comfortably within the site, and will be commensurate to the scale and form of the other bungalows within the cul de sac. The spatial arrangement means that the design of the dwelling can be such that it should not unduly impact upon the privacy and living conditions of the neighbouring properties. The proposed layout of the proposed dwellings show that acceptable distances can also be achieved between the closest properties which coupled with the scale of the proposed property, particularly its height, would not result in a significant adverse impact upon the nearest neighbour's amenity. Furthermore, an appropriate landscaping scheme and boundary treatments will provide

additional screening of the development and further safeguard the amenity of neighbouring properties.

It is therefore considered at present that the proposal complies with Policy GP1(d) of the LDP. It is the case however that this will be further scrutinised at the reserved matters stage when further details are submitted for consideration.

Impact upon Highway Safety

The access to the site is proposed to be obtained via the private drive that currently serves Erwain which is accessed off Caerbryn Road. Access to the site is for consideration at this stage.

The Head of Highways and Transportation initially responded to consultation with concerns regarding the number of dwellings proposed off the shared private drive which has a minimum width of approximately 3.5 metres and no walkways. Furthermore, the two objectors have also raised points relating to this access, though this relates more to the ownership of the lane and the potential issues relating to rights of access.

Following discussion relating to the shared private drive, its width and the potential numbers accessed off it, based on the current Carmarthenshire Highways Design Guide the Head of Transport advises that as the road is in excess of 5.0 metres at the junction with Caerbryn Road, exceeds 3.5 metres at certain points and has good inter visibility along its length, the proposal is supported subject to the imposition of conditions.

As Members will be aware, the private rights issues are not for the Planning Department to adjudicate on so will be for the applicant to seek further advice on.

It is therefore considered that, subject to the imposition of conditions, the proposed development complies with Policy TR3 Highways in Developments – Design Considerations in terms of the proposed access.

Drainage

There are two separate concerns raised with regard to the drainage at this site, relating to both the foul and surface water.

With regard to the issue of surface water first, it is noted by the Authority's Sustainable Drainage Approval Body (SAB) that the site is at high risk of surface water flooding according to the current flood risk mapping layers published by Natural Resources Wales (NRW). However, as this application is in Outline only, they advise that the applicant should ensure non-worsening of these risks to neighbouring third parties.

Both objections also raise the issue of surface water, advising that the small watercourse that runs alongside the application site is prone to overflowing during heavy rain periods, which then affects all the houses in the cul de sac. The objectors are concerned that the increase in hard surfaces will exacerbate this issue.

Whilst any development over 100 square metres would be liable to a SAB application anyway, in order to ensure that a suitable surface water system can be provided at this location, it was requested that details be provided showing how this may be done. The Agent has provided this information in the form of a technical letter from Francis Sant –

Hydrologists. The current situation was assessed based on the NRW hazard maps, rainfall data and proposed plans. In summary, it is advised that sustainable drainage features can be introduced will ensure that the rainfall runoff will not increase from the site and will reduce for some events. As such, at this stage, the submitted information satisfactory to provide enough detail to ensure that the surface water issue should not get worse and may get better for the neighbouring residents. As a result, the proposal is compliant with policy SP2.

With regard to foul water, Dwr Cymru Welsh Water offer no objections to the proposal to use the existing public sewer system, provided no surface water flows enter. Any costs involved in achieving the connection to the existing sewer must be borne by the developer and requires a S.106 agreement under the Water Industry Act 1991.

A condition requiring full details of foul and surface water drainage to be submitted and agreed at reserved matters stage will be included in any outline planning permission.

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

Other Matters

The application site is of a size that is acceptable to accommodate the proposed residential dwellings, whilst both retaining a large garden area to serve Erwain and retaining the general character of the built form off this cul de sac. The spatial arrangement of the proposal would not lead to issues relating to a demonstrable loss of privacy or amenity for the occupiers of the neighbouring dwellings whilst contributing to the need for new dwellings in Carmarthenshire and providing commuted sums.

Planning Obligations

The applicant has advised that they are in the process of finalising a Unilateral Undertaking agreeing to pay the requisite commuted sum contribution to affordable housing in accordance with Policy AH1 of the LDP. The contribution amount in this area of the County is equivalent to £41.98 per sqm of the internal floorspace of the dwelling. The final level of contribution would be determined at the reserved matters stage when details of the floorspace would be provided. A commuted sum of £2086 is also payable towards the Council's commitment to promote and contribute to the delivery of the Conservation Objectives of the Caeau Mynydd Mawr Special Area of Conservation, in line with the Habitats Directive and a requirement of Policy EQ7.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposed development is acceptable in principle and the submitted information confirms that the site, which is within the defined settlement limits of Penygroes, is capable of accommodating the proposed dwellings without having an unacceptable impact upon the character and appearance of the area, the landscape or the living conditions of neighbouring residents. The concerns regarding impact of the development on highway safety are acknowledged, however, the Head of Transport advises that in this instance, the shared private drive is of an acceptable width, alignment and with an acceptable access onto the County Road to mean that the access is compliant with the current Carmarthenshire Highways Design Guide, subject to the imposition of conditions. The applicant has also agreed to pay a financial contribution towards affordable housing and the Caeau Mynydd Mawr SAC secured by way of a Unilateral Undertaking. The application is therefore considered to comply with policies SP1, SP2, SP3, GP1, GP2, H2, AH1, TR3, EP3 and EQ7 of the Carmarthenshire Local Development Plan and is recommended for approval subject to the Unilateral Undertaking and the following conditions.

Recommendation - Approval

Conditions and Reasons

Condition 1

Application for approval of reserved matters must be made to the local planning authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-

- a) the expiration of five years from the date of this outline planning permission;
- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

Condition 2

Details of the appearance, landscaping, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

Reason: This is an outline planning permission only.

Condition 3

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 [2c] @ A3 received 3rd November 2020;
- 1:500 scale Block Plan [1c] @ A3 received 3rd November 2020.

Reason: To ensure that the development is implemented in accordance with the approved details.

Condition 4

No development shall commence until details of existing ground levels, including those of adjacent properties, and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 5

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To ensure that the development is adequately drained, 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 and to accord with Policy EP3 of the Carmarthenshire Local Development Plan 2014.

Condition 6

Any reserved matters application for 'landscaping' or 'layout', shall include an appropriate and comprehensive Detailed Landscape Design Scheme, to be submitted and approved in writing by the local planning authority. The scheme shall deliver detailed design proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions; and shall be in compliance with relevant guidance as provided by the local planning authority.

Reason: To ensure that the development respects, reflects, and enhances local character, distinctiveness; and gives due consideration to features which contribute to local distinctiveness and the landscape.

Condition 7

Prior to the occupation of the dwellings 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 dwellings are occupied.

Reason: In the interests of visual and neighbouring amenity and to the accord with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 8

Prior to the commencement of development, the written approval of the local planning authority shall be obtained for a scheme of parking and details of a turning facility within the curtilage of the site, dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the turning facility is to be obstructed by non-motorised vehicles.

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

Condition 9

All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.

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

Condition 10

No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

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

Notes/Informatives

Note 1

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

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

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

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

Note 2

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

Note 3

The applicant/developer's attention is drawn to the legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £41.98 per square metre internal floor area.