

Pecyn Dogfennau



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

DYDD MERCHER, 10 HYDREF 2018

AT: HOLL AELODAU'R PWYLLGOR CYNLLUNIO

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R
**PWYLLGOR CYNLLUNIO A GYNHELIR YN Y SIAMBR, NEUADD Y SIR,
CAERFYRDDIN AM 10.00 AM, DYDD IAU, 18^{FED} HYDREF, 2018 ER MWYN
CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM**

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democrataidd:	Janine Owen
Ffôn (Ilinell uniongyrchol):	01267 224030
E-bost:	JanineOwen@sirgar.gov.uk
Cyf:	AD016-001



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

PWYLLGOR CYNLLUNIO 20 AELOD

Y GRŴP PLAID CYMRU – 10 AELOD

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

Y GRŴP LLAFUR – 6 AELOD

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

Y GRŴP ANNIBYNNOL – 4 AELOD

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

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGAN BUDDIANNAU PERSONOL
3. RHANBARTH Y DWYRAIN - 5 – 24
PENDERFYNU AR GEISIADAU CYNLLUNIO
4. RHANBARTH Y DRE - 25 – 66
PENDERFYNU AR GEISIADAU CYNLLUNIO
5. RHANBARTH Y GORLLEWIN - 67 – 90
PENDERFYNU AR GEISIADAU CYNLLUNIO
6. LLOFNODI YN COFNOD CYWIR COFNODION Y CYFARFOD A 91 - 94
GYNHALIWDYD AR 20 MEDI 2018

Mae'r dudalen hon yn wag yn fwriadol

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

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

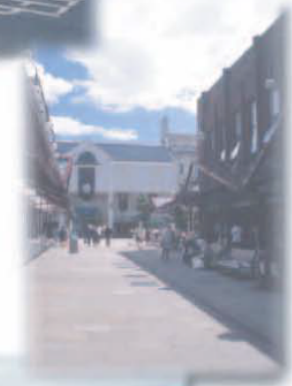
**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 18 HYDREF 2018
ON 18 OCTOBER 2018**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal
Dwyrain/
Area East*



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	18 OCTOBER 2018
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
E/34791	The proposed Bryn Bugail wind turbine development will comprise of a single wind turbine, which will have an embedded capacity of up to 100kw with the turbine measuring 37 meters to hub height, with a 24 metre rotor diameter, creating an overall blade tip height of up to 49 metres. The wind turbine would be located in a field which is currently used for grazing and this use can continue with the wind turbine present at land at Bryn Bugail, Carmarthen, SA32 7JX

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/34791
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Application Type	Full Planning
Proposal & Location	THE PROPOSED BRYN BUGAIL WIND TURBINE DEVELOPMENT WILL COMPRISE OF A SINGLE WIND TURBINE, WHICH WILL HAVE AN EMBEDDED CAPACITY OF UP TO 100KW WITH THE TURBINE MEASURING 37 METERS TO HUB HEIGHT, WITH A 24 METRE ROTOR DIAMETER, CREATING AN OVERALL BLADE TIP HEIGHT OF UP TO 49 METRES. THE WIND TURBINE WOULD BE LOCATED IN A FIELD WHICH IS CURRENTLY USED FOR GRAZING AND THIS USE CAN CONTINUE WITH THE WIND TURBINE PRESENT AT LAND AT BRYNBUGAIL, CARMARTHEN, SA32 7JX

Applicant(s)	GILFACH RENEWABLE ENERGY LTD - DYLAN JONES, 13A VICTORIA GARDENS, NEATH, SA11 3AY
Agent	GKL CONSULTING - GILL LOCK, THE ORCHARD, COED-Y-MWSTWR, NEAR COYCHURCH, BRIDGEND, CF35 6AF
Case Officer	Ceri Davies
Ward	Llanegwad
Date of validation	01/12/2016

CONSULTATIONS

Llanegwad Community Council – Has objected to this application, citing the following reasons:

- Visual impact on the area
- Concern that the area is now becoming flooded with wind turbines
- Impact on the health of residents
- Impact on historic and ancient monuments

Local Member - County Councillor Mansel Charles is a member of the Planning Committee and has made no prior comment to date.

Head of Public Protection – Has no objections to the proposal subject to the imposition of suitable conditions relating to compliance with prescribed noise levels.

Head of Transportation & Highway Safety – Has no adverse comments.

Public Rights of Way Officer – Has advised on the proximity of the sub-station to the nearest public rights of Way and has not expressed any concerns regarding the wind turbine itself.

Ministry of Defence – Has no objections to the proposal.

Joint Radio Company – Has no objections to the proposal.

Ofcom – Has provided general guidance in relation this proposal

Civil Aviation Authority – Has provided general guidance in relation to this proposal.

Natural Resources Wales – No adverse comments raised subject to standard advisory notes in relation to pollution prevention.

Dyfed Archaeological Trust – Has recommended the imposition of a suitable condition requiring the implementation of a programme of archaeological work.

Third Party Representations – Following the erection of Site Notices in the immediate vicinity of the application site, 5 emails/letters of representation have been received to date objecting to the application. The Authority has also received 1 letter of support. Given the number of letters of objection, many of the points of objection are repeated. The points of objection are summarised as follows:

Landscape & visual amenity

- The turbine will be demonstrably harmful to the character and appearance of the area.
- Inappropriate location
- Excessive number of wind turbines in the vicinity
- Detrimental impact on the archaeology of the area
- Impact on public highway
- Access
- Cumulative impact of wind turbines

Shadow Flicker

- Harm from shadow flicker will be caused by the proposed turbine

Noise

- Noise generated by the operating of the wind turbine.

Wildlife & Ecology

- The turbine will harm local wildlife and ecology.

General amenity

- The turbine will cause significant and demonstrable harm to local residential amenity.

Immaterial points

- Impact on health
- Negative impact on tourism in the county
- Proposal will set a precedent for further wind turbines

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

THE SITE

The application site forms part of a field enclosure associated with Brynbugail, a farm holding approximately 1 mile west of Horeb and 2 miles north-west of Felingwm Uchaf. The site for the turbine sits north-west of the farm complex and will be accessed via a track off the C1256, the county road linking Horeb and Rhydargaeau; to the north is Brechfa Forest.

The site occupies an elevated position, however, owing to its isolated location and the relatively flat plateau on which it sits, the site is not readily visible from the wider area. The surrounding area is characterised by improved agricultural land bound by semi-improved hedgerow, farmsteads and large tracts of mature woodland.

The nearest residential properties include Glanrhyd and Gwynfaes, 550 metres north-west of the site; Maesypant, 650 metres north of the site; Pantycelyn, 680m south-west of the site; Bryngoyallt, 610 metres south of the site; and Bryngolau, 600 metres south-east of the site. The nearest Public Rights of Way (41/55) footpath is located 200 metres west of the proposed turbine location.

THE PROPOSAL

The proposal will comprise a three bladed horizontal axis wind turbine which will have an overall blade tip height of up to 49 metres; the rated power of the wind turbine is up to 100kW. The wind turbine generator will have a hub height of 37m and rotor diameter of 24m. The turbine is to be sited at approximately 293 metres above Ordnance Survey Datum. A concrete foundation will be required to support the wind turbine. The application site also comprises a proposed access track, width would be 3.5 metres and an area proposed for the turbine construction along with ancillary equipment housing/hardstanding area.

The application has been accompanied by a supporting planning statement, Landscape & Visual Impact Assessment (LVIA), Shadow Flicker Report, noise assessment and ecological appraisals; in addition, a selection of photomontages and wirelines.

PLANNING POLICY

The application falls to be considered against the following Local Development Plan (LDP) policies:

Policy SP2 (Climate Change) which sets out the criteria for development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported.

Policy SP11 (Renewable Energy & Energy Efficiency) which states that development proposals which incorporate energy efficiency measures and renewable energy production technologies will be supported in areas where the environmental and cumulative impacts can be addressed satisfactorily. The policy also states that such developments should not cause demonstrable harm to residential amenity and will be acceptable within the landscape.

SP14 (Protection and Enhancement of the Natural Environment) which states that development should reflect the need to protect, and wherever possible enhance the County's natural environment; and all development proposals should be considered in accordance with national guidance/legislation and the policies and proposals of this Plan, with due consideration given to areas of nature conservation value, the countryside, landscapes and coastal areas, including statutory designated sites including Ramsar sites, SPAs, SACs, SSSIs and National Nature Reserves; sites of biodiversity and nature conservation value; regional and locally important sites (and their features) including local Nature reserves; area of identified landscape and seascape quality; features which contribute to local distinctiveness, nature conservation value or the landscape; the open countryside; the best and most versatile agricultural land; (Grade 2 and 3a); and natural assets: including air, soil (including high carbon soils) controlled waters and water resources. (See Policies EP1 and EP2)

Policy RE2 (Local, Community and Small Wind Farms) which states that local, Community and small wind farms or individual turbines will be permitted provided the following criteria can be met in full:

- a) The development will not have an unacceptable impact on visual amenity or landscape character through: the number, scale, size, design and siting of turbines and associated infrastructure
- b) The development will not have an unacceptable cumulative impact in relation to existing wind turbines and other renewable energy installations and those which have permission;
- c) The siting, design, layout and materials used should be sympathetic to the characteristics of the land-form, contours and existing features of the landscape;
- d) The development would not cause demonstrable harm to statutorily protected species, and habitats and species identified in the Local Biodiversity Action Plan;
- e) Turbines and their associated structures will not be sited in, or impact upon archaeological resources, the setting and integrity of Conservation Areas, Listed Buildings or other areas of historical value;
- f) Proposals will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public;
- g) No loss of public accessibility to the area, and existing bridleways and footpaths will be safeguarded from development with no permanent loss to their length and quality;
- h) Turbines and associated infrastructure will, at the end of the operational life of the facility, be removed and an appropriate land restoration and aftercare scheme agreed;

- i) The development will not result in significant harm to the safety or amenity of sensitive receptors and will not have an unacceptable impact on roads, rail or aviation safety;
- j) The development will not result in unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems.

In addition to the above specified conditions, the application also falls to be considered against the General policies of the Local Plan as well as the following specified national policies/guidance.

National Policy is provided by Planning Policy Wales Edition 7 July 2014 and TAN 8 as follows:-

12.8 Sustainable Energy

12.8.1 The UK is subject to the requirements of the EU Renewable Energy Directive. These include a UK target of 15% of energy demand from renewables by 2020. The UK Renewable Energy Roadmap sets the path for the delivery of these targets, promoting renewable energy to reduce global warming and to secure future energy supplies. The Welsh Government is committed to playing its part by delivering an energy programme which contributes to reducing carbon emissions as part of our approach to tackling climate change (see 4.5) whilst enhancing the economic, social and environmental wellbeing of the people and communities of Wales in order to achieve a better quality of life for our own and future generations. This is outlined in the Welsh Government's Energy Policy Statement Energy Wales: A Low Carbon Transition (2012).

12.8.2 Planning policy at all levels should facilitate delivery of both the ambition set out in Energy Wales: A Low Carbon Transition and UK and European targets on renewable energy. The Renewable Energy Directive contains specific obligations to provide guidance to facilitate effective consideration of renewable energy sources, high-efficiency technologies and district heating and cooling in the context of development of industrial or residential areas, and (from 1 January 2012) to ensure that new public buildings, and existing public buildings that are subject to major renovation fulfil an exemplary role in the context of the Directive. The issues at the heart of these duties are an established focus of planning policy in Wales, and in this context both local planning authorities and developers should have regard in particular to the guidance contained in Technical Advice Note 8: Planning for Renewable Energy, TAN22 and Planning for Renewable Energy – A Toolkit for Planners. The Welsh Government will however consider the preparation of further targeted guidance where appropriate.

12.8.6 The Welsh Government's aim is to secure an appropriate mix of energy provision for Wales which maximises benefits to our economy and communities, whilst minimising potential environmental and social impacts. This forms part of the Welsh Government's aim to secure the strongest economic development policies to underpin growth and prosperity in Wales recognising the importance of clean energy and the efficient use of natural resources, both as an economic driver and a commitment to sustainable development.

12.8.9 Local planning authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy (see 4.4.3) to

help to tackle the causes of climate change (see 4.7.3). Specifically, they should make positive provision by:

- considering the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and ensuring that development plan policies enable this contribution to be delivered;
- ensuring that development management decisions are consistent with national and international climate change obligations, including contributions to renewable energy targets and aspirations;
- recognising the environmental, economic and social opportunities that the use of renewable energy resources can make to planning for sustainability (see Chapter 4); and
- ensuring that all new publicly financed or supported buildings set exemplary standards

12.8.10 At the same time, local planning authorities should:

- ensure that international and national statutory obligations to protect designated areas, species and habitats and the historic environment are observed;
- ensure that mitigation measures are required for potential detrimental effects on local communities whilst ensuring that the potential impact on economic viability is given full consideration; and
- encourage the optimisation of renewable and low carbon energy in new development to facilitate the move towards zero carbon buildings (see 4.11 and 4.12).

12.10.1 In determining applications for renewable and low carbon energy development and associated infrastructure local planning authorities should take into account:

- the contribution a proposal will play in meeting identified national²⁸, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development;
- the impact on the natural heritage (see 5.5), the Coast (see 5.6) and the Historic Environment (see 6.5);
- the need to minimise impacts on local communities to safeguard quality of life for existing and future generations;
- ways to avoid, mitigate or compensate identified adverse impacts;
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts (see 4.5);
- grid connection issues where renewable (electricity) energy developments are proposed; and
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal

Consideration is also given to Planning Policy Wales - Technical Advice Note (TAN) 8 - Planning for Renewable Energy. At para 2.13 it states that *“most areas outside of SSAs should remain free of large wind power schemes”*...and that...*“local authorities may wish to*

consider the cumulative impact of small schemes in areas outside of SSAs and establish suitable criteria for separation distances from each other and from the perimeter of existing wind power schemes of the SSAs. In these areas, there is a balance to be struck between the desirability of renewable energy and landscape protection. Whilst that balance should not result in a severe restriction on the development of wind capacity, there is a case for avoiding a situation where wind turbines are spread across the whole of the county.”

Although no formal Supplementary Planning Guidance (SPG) on cumulative impact has been adopted by the Local Planning Authority (LPA), it has developed a guidance note internally for officers entitled *Pembrokeshire and Carmarthenshire: Cumulative Impact of Wind Turbines on and Landscape and Visual Amenity*. As the title suggests this document has been developed with Pembrokeshire and also the Pembrokeshire Coast National Park Authority who have both adopted the guidance as SPG. The guidance provides a classification of landscape types where turbines are contained within landscape character areas (Table 1 p.15). It also provides guidance on how to assess cumulative impacts on visual amenity indicating that there are three main types of cumulative visual effect:

- In combination from one (static) viewpoint i.e. where more than one development can be seen within the observer’s arc of vision at the same time.
- In succession from one (static) viewpoint i.e. where the viewer has to turn to see a number of development around them.
- Sequential effects on a journey i.e. where more than one wind turbine development can be seen one after the other over a period of time by an observer moving through the landscape (para 4.1).

The guidance states that “the magnitude of the cumulative change will depend on the landscape context in which the development is viewed and the scale, nature, duration and frequency of combined and sequential views (para 4.4).

In relation to the effect on landscape character TAN 8 states: *‘the implicit objective ... is to maintain the integrity and quality of the landscape within National Parks/Areas of Outstanding Natural Beauty in Wales i.e. no change in landscape character from wind turbine development. In the rest of Wales outside the Strategic Search Areas the implicit objective is to maintain the landscape character ie no significant change in landscape character from wind turbine development. Within (and immediately adjacent to) the Strategic Search Areas, the implicit objective is to accept landscape change i.e. significant change in the landscape character from wind turbine development.’* (Annex D 8.4).

The following sections will assess the proposal against specific material planning considerations and will be followed by a balancing exercise which will conclude whether the proposal is acceptable or not at this location.

THIRD PARTY REPRESENTATIONS

Five letters of objection have been received in relation to this application; many of the points of objection are repeated. The summary of the points of objection are presented above. In the interest of brevity, the main points are grouped together and discussed in detail below.

Landscape and Visual

On the basis of the community council objection and concerns highlighted by third parties over the visual impact of the proposed turbine, the Authority has scrutinised carefully the potential visual effect of the turbine at this location. In this regard the Authority's Landscape officer has assessed the scheme in the context of its surroundings; and through appraisal of the submitted information, consideration of LANDMAP and landscape designations, as well as a site survey/visit.

The authority acknowledges that the receiving landscape primarily consists of agricultural fields and scattered farmsteads and it is concluded that the scale of the turbine will not have a significant adverse impact on the quality of this area. The application site has been inspected from the nearest sensitive buildings, namely Glanrhyd, Gwynfaes, Maesyfant, Pantycelyn, Bryngoyallt, and Bryngolau; it has also been inspected from the nearest built up residential areas, namely Horeb, 1 mile to the east and Felingwm Uchaf, 2 miles south.

From these inspections, the authority acknowledges that the proposed scheme will form a new, manmade moving element within some views from residential properties and associated amenity space. It is concluded that the location of the scheme, scale of the turbine model and its relation to the topography; other OCP development (Operational, consented or in planning turbine development); and the proximity and orientation in relation to the identified properties, and any intervening screening elements, is such, that the proposal is considered to result in a degree of impact to residential visual amenity. The Authority has fully considered the impacts to residential visual amenity as identified in the Impact Table, along with the additional information submitted as part of representations made by third parties and Community Council in the context of the relevant policy objectives.

Overall, the Authority is satisfied that the nearest dwellings and those assessed from public vantage points will not be exposed to significant adverse physical impacts from the turbine given the relative separation distance and scale of the development. Furthermore, owing to the separation distance between the application site and the hamlet of Horeb as well as the villages of Brechfa and Felingwm Uchaf, the authority contends that despite the claims of the Community Council, the turbine will not have a detrimental impact on the character and appearances of these settlements.

It is acknowledged that indirect impacts to landscape character will be caused by the physical presence of the proposed turbine from certain views, and this would result in effects upon the existing landscape character. Members will of course be mindful that wind turbine development inevitably results in changes to local landscape character through the introduction of new, manmade moving landscape elements. The significance of these changes in terms of magnitude and extent of effect have been assessed through appraisal of the submitted information, consideration of LANDMAP and landscape designations. The Authority concludes that the scale of the turbine model is such that, potential impacts to existing landscape elements and features does not challenge the relevant policy objectives of the LDP to justifiably represent a reason for refusal of the application.

It is acknowledged that the proposed scheme will have some residual impact upon the landscape character of the immediate area; however, given the location and scale of the turbine model and its relation to the topography of the immediate area, along with the predicted magnitude of effect in relation to the sensitivity of the receiving landscape, are such that the significance of the residual impacts to landscape character, or areas designated for their landscape value, are not considered to represent a justifiable reason for refusal of the application against the relevant policy objectives of the LDP.

The significance of the impacts to local landscape character arising from the visual presence of the proposed turbine development have been considered as part of this application. Whilst these impacts may not be of a significance to justify an objection to the application, it is considered that the proposed turbine development will result in residual adverse impacts to landscape character on a local scale. In view of the aforementioned, it is considered that the provision of a Landscape Compensation Scheme, which details measures to protect and enhance the existing landscape character of the area, and avoid any potential decline in the quality or quantity of those elements which contribute to landscape character, is fully justified in planning terms under the provisions of Policy GP1 and SP14 of the LDP. An appropriate condition will be imposed to ensure the submitted Landscape Compensation and Biodiversity Enhancement Scheme is fully implemented. It is also recommended that a Physical Landscape Mitigation Scheme [PLIMS] be submitted and an appropriate condition will be imposed accordingly.

It is considered that the proposal does not challenge LDP policies which seek to protect visual amenity. Furthermore, the distance maintained from other neighbouring properties, including objectors' properties and the relative scale of the proposal will ensure that whilst there will be a degree of visual impact it will not cause significant adverse harm upon those living in the area. Whilst it is acknowledged that the proposal by its very nature will lead to a prominent alien man-made feature visible from the wider area, it is deemed that the energy benefits of the proposal outweigh this impact.

In terms of the cumulative visual impact, there are existing and proposed wind turbines in the wider landscape; the nearest operational single wind turbine is located to the east of Horeb, approximately 2km east of the application site and not in the immediate view. The undulating landscape means these turbines will be screened and not often viewed in combination. The operational wind farm at Blaengwm, Pencader is located 6.km to the north-west, whilst the operational wind farm at Brechfa Forest West will be approximately 4.5km away. Although from higher ground the proposal will be seen in context with the aforementioned wind farm, the separation distance and inter relationship between the two does not result in the immediate area being characterised by wind turbines and turning into a wind farm landscape.

To conclude this section therefore, it is considered that the wind turbine of a 'small' scale can be accommodated within the landscape without harming its qualities and the amenity of those that live within in it and use it.

Ecology

Third parties have raised concerns over the potential impact on the ecology of the area. The site consists of improved grassland bounded by hedgerows, as confirmed by the ecological walkover survey and the authority acknowledges that a small area of improved grassland will be permanently lost, however, this habitat is considered to be of negligible ecological significance.

It is advised that all cable trenches must pass under existing hedgerows or through existing gaps, no hedgerow or stretch of hedgerow should be removed for this purpose. The routing must also follow the recommendation regarding diverse wetland habitats contained within Section 5 of the Ecology Survey by Sturgess Ecology dated July 2015. Furthermore, no spoil should be spread within 5 m of any tree or hedgerow, this should be a condition of any consent.

The authority notes the proposed impacts to hedgerows, through access widening and advises that these impacts must be identified and mitigation provided as highlighted in the Landscape Response highlighting the requirement for a Physical Landscape Impact Audit (PLIA) and Physical Landscape Impact Mitigation Scheme (PLIMS). Bat activity surveys have been undertaken to demonstrate the levels of bat activity on the site. NRW have confirmed that they are satisfied with the survey and findings and that the favourable conservation status of bats will not be adversely impacted by the proposal,

The vegetation on this application site may potentially be used by nesting birds and Reptiles and it is recommended that the applicant be made aware that under the Section 1 of the Wildlife and Countryside Act 1981 (as amended) it is an offence to kill or injure any wild bird, take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also recommended that the applicant be informed that reptiles are protected under the Wildlife and Countryside Act 1981. The adder, grass snake, common lizard and slow worm receive protection under the Wildlife and Countryside Act from killing and injury. A condition be included in any consent that states that any works be carried out in strict accordance with the recommendations for nesting birds and reptiles contained within section 5 of the Ecology Survey by Sturgess Ecology dated July 2015.

The authority considers that any proposal must include a fully integrated landscape compensation and biodiversity enhancement scheme; the purpose of this will be to deliver any required biodiversity mitigation and additionally provide biodiversity enhancement to the local area through the management or creation of wildlife habitats on site or elsewhere on the land holding. The aim of the scheme is to offset any long term residual/cumulative effects to biodiversity of a turbine in the landscape and provide enhancement in line with LDP policy; the provision of this scheme will be conditioned accordingly.

The Authority's Planning Ecologist has raised no adverse comments subject to the imposition of the aforementioned conditions. Natural Resources Wales (NRW) have also offered no adverse comments to this proposal. NRW have advised that they have reviewed the submitted application and welcome the submission of the Bat Survey 2016 by MPEcology, dated November 2016; and also the Ecology Survey by Sturgess Ecology dated July 2015. NRW note the results of both the Phase 1 habitat survey and the bat surveys along with the recommendations of both reports and have formally confirmed that they have no objection to the proposed development.

NRW have issued the local authority with guidelines indicating that any turbine where the blades are to be located within 50m of a building, woodland, hedgerow, stream corridor or any other potential bat flight line or feature suitable for foraging bats should be subject to a bat survey. Following this guidance and the information supplied with the application it is considered that this application does not require a bat survey so long as the turbines blades are located 50m away from such features.

Noise

In terms of the potential noise impact, the submitted application has been accompanied by a noise survey; the Head of Public Protection has been in extensive negotiations with the agent regarding various aspects of the noise survey, in particular the cumulative noise assessment. The Head of Public Protection has considered the findings of the said survey and offered no adverse comments, however it is advised that a suitable condition be imposed stipulating noise be limited to 35dB as measured 3.5 metres from the façade of

any noise sensitive property up to wind speeds of 10m/s at 10m height; it is considered this condition alone would offer sufficient protection and prevent any demonstrable harm to the amenity of any residents residing at any noise sensitive properties.

Transportation and Highway Safety

The applicant has submitted details of the construction phase of the development which includes details of material and component deliveries. These are not considered excessive or likely to cause unacceptable disruption along the local road network. The Head of Transportation & Highway Safety has not advised of any that off-site highway widening/improvement works required for the delivery of turbine components and materials.

Subject to the imposition of recommended highway conditions, it is not considered that the proposal will give rise to any significant highway safety concerns and therefore the Head of Transportation & Highway Safety has raised no adverse comment.

Shadow Flicker and Amenity

Whilst this hasn't been raised as a concern in this instance, Members will be mindful that shadow flicker can often be a concern when wind turbine applications are considered by the authority. Shadow flicker has been proven to only occur within ten rotor diameters of a wind turbine; the proposed turbine has a rotor diameter of 24m, and shadow flicker could therefore have potential occurrences within 240m. Only properties within 130 degrees either side of north, relative to the turbines, can be affected at these latitudes in the UK – turbines do not cast long shadows on their southern side (Planning practice guidance for renewable and low carbon energy, 2014). In this instance, there are no residential dwellings or other properties within 130 degrees either side of north; considering 240m around the turbines, therefore the Shadow Flicker Report accompanying this application concludes that shadow flicker is not predicted to occur at any residential receptors as no residential properties have been identified within 240m of the proposed wind turbine.

Cultural Heritage

In terms of concerns raised in relation to the potential impact of the development on ancient monuments, the authority has consulted with Dyfed Archaeology Trust who have advised that they have checked this application against the Regional Historic Environment Record, a database that currently holds over 55,000 core records of archaeological and historic significance.

Dyfed Archaeology Trust acknowledges that the application has been supported by a Historic Landscape Assessment prepared by Pearson Archaeology Ltd. (September 2015) and have highlighted concerns that the access road leading to the turbine location will directly impact on the round barrow where, although the site is recorded as partially destroyed, buried archaeological deposits potentially still survive. For that reason Dyfed Archaeology has recommended that an archaeological condition be imposed on any planning permission granted to ensure no development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. An appropriate condition will be imposed accordingly.

Other Matters

In terms of topple distance, with the nearest Public Rights of Way (41/55) footpath located 200 metres away from the proposed turbine location and the nearest residential property, Glanrhyd, located 550 metres away, the authority deems there to be adequate separation distance between the proposed wind turbine site for this not to be an issue.

CONCLUSION

It is acknowledged that there will be an impact to the landscape character of the immediate area by the physical presence of the proposed turbine at this location. The significance of this change in terms of magnitude and extent of effect has been assessed through appraisal of the submitted information and a survey of the selected site within its surrounding context. It is concluded that the scale of the turbine model is such that, potential impacts to existing landscape elements and features would not be expected to challenge the relevant policy objectives of the LDP to justifiably represent a reason for refusal of the application. On balance, having regard to all planning policies and material considerations, the proposal is considered to sit comfortably at this location without having a significant adverse impact upon the surrounding landscape, the amenities of occupiers and the ecological and cultural assets of the area. It will also have a positive impact upon the farm's energy needs, approval is therefore recommended.

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 above approved development relates to the following plans and documents and works should be carried out in accordance with them unless amended by any conditions below:
 - Site Layout & Site Location Plan – 1:1,000 scale
 - Elevation, Ground & Foundation Plan – 1:100 scale
 - Shadow Analysis Report
 - Operation Noise Report
 - Ecology Survey Report
 - Historic Landscape Assessment
 - Landscape & Visual Appraisal(LVA) Report
 - Design & Access Statement Reporter PlanReceived on 11th December 2015
- 3 If the wind turbine hereby permitted ceases to operate for a continuous period of 6 months, unless otherwise approved in writing by the Local Planning Authority, a scheme for the decommissioning and removal of the wind turbine and any other ancillary equipment and structures relating solely to the wind turbine shall be submitted and approved in writing by the Local Planning Authority within 3 months

of the end of the cessation period. The scheme shall include details for the restoration of the site. The scheme shall be implemented within 3 months of the date of its approval by the Local Planning Authority.

- 4 During the construction phases, no works or construction shall take place other than within the hours of 08:00 – 18:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays
- 5 To prevent any demonstrable harm to the amenity of residents, the rating level of noise immission from the wind turbine (including the application of any tonal penalty) should not exceed a sound pressure level not exceeding 35dB $L_{A90, 10 \text{ mins}}$, within the amenity space of any non-financially involved lawfully existing dwelling, between cut-in wind speeds and the wind speed corresponding to the turbines maximum sound power level, measured to a height of 10m.
- 6 To prevent any demonstrable harm to the amenity of any residents, the cumulative rating level of noise immission from the wind turbine (including the application of any tonal penalty), should not exceed a sound pressure level not exceeding 35dB $L_{A90, 10 \text{ mins}}$, within the amenity space of any non-financially involved lawfully existing dwelling, between cut-in wind speeds and the wind speed corresponding to the turbines maximum sound power level, measured to a height of 10m.
- 7 To prevent any demonstrable harm to the amenity of any residents residing at any financially involved properties, the cumulative rating level of noise immission from the wind turbine(s) (including the application of any tonal penalty) should not exceed 45dB $L_{A90, 10 \text{ min}}$ as measured at least 3.5 meters from the façade of any financially involved noise sensitive property at any time, up to and including on-site wind speeds of 10 m/s at 10m height.
- 8 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise immissions from the wind turbines at the complainant's property following the procedures described in ETSU-R-97 "The Assessment and Rating of Noise from Wind Farms". The scheme for assessing the level of noise shall be agreed in writing by the Local Planning Authority prior to being implemented.
- 9 The assessment of the rating level of noise immissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Local Planning Authority. The protocol shall include the proposed measurement location where measurements for compliance checking purposes shall be undertaken, the method to assess the presence of any tonal component, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions.
- 10 In the event that the operational turbine subsequently develops an audible tone, then a penalty shall be added to the measured sound levels in accordance with ETSU-R-97. This condition applies where no tone has been identified at the assessment stage and no penalty applied.

- 11 During the course of the investigation, should the wind turbine be identified as operating above the parameters specified in number 5, 6 and 7 above the wind turbines will be modified, limited or shut down. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified in Conditions 5, 6 & 7.
- 12 The turbine shall operate in 'Reduced Noise Mode' at all times
- 13 Any lighting shall be erected and orientated in such a manner, and the illumination shall be of a level, so as not to give rise to glare and dazzle to road users.
- 14 Prior to the commencement of the development hereby approved on site, detailed plans of the proposed wind turbine substation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.
- 15 No development shall take place until a comprehensive Physical Landscape Impact Mitigation Scheme [PLIMS] has been submitted to and approved in writing by the Local Planning Authority.
- 16 Development shall be fully implemented in accordance with the approved Physical Landscape Impact Mitigation Scheme [PLIMS] and to the approved implementation and long term management programmes, unless agreed otherwise, in writing, by the Local Planning Authority.
- 17 Any new landscape elements planted or seeded; or existing landscape elements retained; in accordance with the approved PLIMS which, within a period of 5 years after implementation, die or become, in the opinion of the Local Planning Authority, seriously diseased, damaged or otherwise defective shall be replaced in the next planting or seeding season with replacement elements of similar size and specification, unless the Local Planning Authority gives written consent to any variations.
- 18 The approved integrated landscape and biodiversity enhancement scheme shall be fully implemented within 12 months of the wind turbine becoming operational.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity
- 3 To ensure derelict or obsolete structures do not adversely affect the environment.
- 4-12 To prevent noise disturbance and loss of amenity to occupiers of nearby buildings.
- 10 In the interest of highway safety.
- 13-14 In the interest of visual amenity.

15-18 To ensure the delivery of any required biodiversity mitigation and additionally provide biodiversity enhancement to the local area through the management or creation of wildlife habitats on site or elsewhere on the land holding.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposal complies with Policy SP2 (Climate Change) in that it represents a development proposal which responds to, and is resilient to, and adapt to, and minimise for the causes and impacts of climate change will be supported.
- The proposal complies with Policy SP11 (Renewable Energy & Energy Efficiency) as it is a development proposal which incorporates energy efficiency measures and renewable energy production technologies; and all environmental and cumulative impacts have been addressed satisfactorily. It is also considered that the development will not cause demonstrable harm to residential amenity, hence is deemed acceptable within this rural landscape setting.
- The proposal complies with Policy SP14 (Protection and Enhancement of the Natural Environment) in that the proposal will not significantly harm the local environment, any sites of nature conservation, historical or archaeological interest, species of ecological value. The proposal also safeguards residential amenity, highway safety, telecommunication or radio interference.
- The proposal complies with Policy RE2 (Local, Community and Small Wind Farms) in that it is an individual turbine proposal which will not have an unacceptable impact on visual amenity or landscape character through; the development will not have an unacceptable cumulative impact in relation to existing wind turbines and other renewable energy installations and those which have permission; the siting, design, layout and materials used is considered sympathetic to the characteristics of the land-form, contours and existing features of the landscape; the development will not cause demonstrable harm to statutorily protected species, and habitats and species identified in the Local Biodiversity Action Plan; the turbine and its associated structures will not be sited in, or impact upon archaeological resources, the setting and integrity of Conservation Areas, Listed Buildings or other areas of historical value; the proposal will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public; there will be no loss of public accessibility to the area, and existing bridleways and footpaths will be safeguarded from development with no permanent loss to their length and quality; the turbines and associated infrastructure will, at the end of the operational life of the facility, be removed and an appropriate land restoration and aftercare scheme is agreed; the development will not result in significant harm to the safety or amenity of sensitive receptors and will not have an unacceptable impact on roads, rail or aviation safety; the development will not result in unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems.

NOTES

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

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

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

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

Ardal Del
Area South

**ADRODDIAD PENNAETH CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 18 HYDREF 2018
ON 18 OCTOBER 2018**

***I'W BENDERFYNU*
FOR DECISION**



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	18 OCTOBER 2018
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
S/37325	Replacement of existing steps to west door with new steps and ramp to allow wheelchair access to Church at St Ellis Church, Bridge Street, Llanelli, SA15 3UF
S/37581	Outline application for residential development at land at Llwynycyfarthwch, Llanelli, SA15 1GY
S/37693	Variation of condition no. 3 (the premises shall be used solely for purposes of the storage of shoes) of S/36969 to allow customers to be able to pick up via an appointment only basis at 21 Park View Drive, Kidwelly, SA17 4UP
S/37793	An extension to an authorised gypsy caravan site to accommodate two additional static residential gypsy caravans together with the erection of two day/utility rooms, two touring caravans, installation of septic tank and the retention of works to create a hardstanding and new access at land at Ty Newydd, Llwyn Teg, Llannon, Llanelli, SA14 8JN

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/37325
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Application Type	Full Planning
Proposal & Location	REPLACEMENT OF EXISTING STEPS TO WEST DOOR WITH NEW STEPS AND RAMP TO ALLOW WHEELCHAIR ACCESS TO CHURCH AT ST ELLIS CHURCH, BRIDGE STREET, LLANELLI, SA15 3UF

Applicant(s)	THE PCC OF ST ELLIS CHURCH-MR HYWEL HOUGHTON-JONES, ST ELLIS CHURCH, BRIDGE STREET, LLANELLI, SA15 3UF
Agent	ARNOLD BARTOSCH LTD - MR MIKE JOY, 1 BATH MEWS, BATH PARADE, CHELTENHAM, GL53 7HL
Case Officer	Robert Davies
Ward	Elli
Date of validation	01/06/2018

CONSULTATIONS

Llanelli Town Council – Requests that the application be considered by the Planning Committee rather than by the Planning Officer under delegated powers. The Town Council is concerned that the ramp as proposed is not of sufficient width to enable appropriate access for disabled visitors.

Local Member – County Councillor J P Jenkins has not responded to date.

Access Officer – No response received to date.

Cadw – Has confirmed that it has no comments to make on the proposal.

Dyfed Archaeological Trust – No objection as works will be monitored through a watching brief.

Neighbours/Public – The application was advertised by virtue of site and press notices. To date three members of the public have raised concerns and objections towards the proposals whilst two people have written in support of the proposed development.

The letters of concern and objection, whilst acknowledging the merits of providing more inclusive access, site the following reasons:-

- Lack of stakeholder consultation prior to submitting the planning application.
- Health and safety implications – no external lighting proposals.
- The suitability of the proposed ramp and steps during an emergency evacuation has not been tested.
- The proposals do not adhere to the requirements of Approved Document M of the Building Regulations and does not comply with DDA requirements. The ramp is not wide enough, whilst no consideration has been given to gradient and varying topography, ramp surfacing and safe routes for those with sight or hearing difficulties.
- Inadequate Design, Access and Heritage Impact Assessment. Insufficient handrails.
- Extending the steps 1400mm westwards could impact on parking and vehicle movement.
- The faculty process and decision has given insufficient attention to the heritage issues.
- The work will impact on the character and appearance of the Grade II* listed, 13th Century medieval tower, which is also within the town's only conservation area. Could a less damaging and less intrusive option be considered? Could an alternative location be proposed i.e. Vestry doorway to SE corner? Would a temporary ramp at an alternative entrance rather than a permanent alteration be an option? No evidence has been submitted to show that such alternatives have been considered, and if discounted, why?
- The tower is the oldest part of the Church.
- The proposed modern works will be highly visible from public viewpoints and are considered unacceptable in scale and design terms.
- No details of archaeological investigation undertaken were originally submitted. The Written Scheme of Investigation is insufficient. Below ground investigation work should be undertaken to inform the application.
- The proposals are insensitive and inappropriate, and will have a detrimental impact on the heritage value of this building and the conservation area.
- There is no artist impression of the proposed ramp.

The support letters site the following reasons:-

- The proposed access is essential for the disabled, elderly and infirm to access the Church.
- The development will allow the Church facilities to be open to more people.
- The proposals are vital for the Church to develop as a focal point in the community.
- Many parishioners now have to travel some distance since the closure of so many Churches. The lack of proper access can be off putting.

RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

APPRAISAL

THE SITE

The application site consists of St. Ellyw's Church, a Grade II* listed building located within Llanelli town centre's only conservation area at Bridge Street, Llanelli. There are a number of listed buildings located within the immediate vicinity, including Llanelli House opposite, a Grade I listed building.

The building was first listed in 1964 and was last amended in 1992. The Cadw listing itself describes the building as follows:-

History

Medieval (possibly C15) west tower, the rest of 1905-06 by G F Bodley of London (1827-1907). West tower, nave, porch, transepts, chancel, north east chapel and south east organ chamber/vestry.

Exterior

Tower is plain battered rubble stone with most features renewed in red sandstone in 1905-06 when parapet was also rebuilt. Corbelled embattled parapet, small 2-light louvred bell-openings with flat hoodmould, clock face on south side at mid-height, and west front C1905. Three-light flat-headed window with ogee tracery, hoodmould and flanking statue niches over pointed west doorway. Fine carved detail to statue niches. North side embattled square stair tower.

Rock-faced sneaked rubble stone with red sandstone dressings, green slate roofs, terracotta ridge tiles and stone coped gables. Early Perp. Gothic style of C1400. Over crossing is ornate panelled stone turret, embattled with short recessed spire. Three-window nave of pointed traceried 3-light windows with hoodmoulds and buttresses between. Transepts have big 4-light end windows, angle buttresses and shouldered gables. Two-light west facing windows. Chancel has big 5-light east window, angle buttresses, lean-to south side vestry with east door and gabled north east chapel with 3-light east windows and two 2-light north windows. Octagonal chimney stack between chapel and chancel roofs. Nave has big south porch with finely carved pointed doorway, hoodmould and statue niche above. Six steps up with ramped low stone wall each side.

Interior

Rock-faced grey stone with Bath stone dressings and timber roofs. Window rear arches are carried down to ground, crossing has moulded arches carried on short corbelled wall-shafts except the larger chancel arch which is fully shafted. Ribbed wagon roofs to nave and transepts, timber vault to crossing with 5 carved bosses and carved angel angle corbels. Chancel has panelled wagon roof, more elaborate over sanctuary with carved bosses. Chancel has fine black and white marble pavement, 2 steps up to chancel and 5 to sanctuary. Tall arch each side with hoodmoulds. East end has window tracery set back in big shafted pointed arch, the lower part of the opening filled by an extremely elaborate carved stone reredos of the Last Supper in richly traceried frame. South wall traceried piscina and 2-seat sedilia.

Fittings

The church has exceptional C18 monuments to members of the Stepney family and early C20 stained glass by Burne-Jones. Timber screens to tower arch and north east chapel, timber pulpit and eagle lectern. Medieval plain octagonal font on diagonally set square shaft with cusped junctions between the square and octagon and half-round faces to square base. Two outstanding stained glass windows to designs by Sir E Burne-Jones: 5-light east window of 1911 and 4-light south windows of C1911, both made by Morris and Co. Notable wall monuments include an exceptionally fine series from late C17 to mid C18 characterised by Baroque to Palladian columned and pedimented surrounds beginning with the Baroque monuments to Walter Vaughan (d 1683) and to Mary Vaughan (d 1703) in the nave. Another early monument with carved skull to H Jones (d 1699) in north east chapel. The C18 series

includes in the nave that to John Vaughan Stepney (d 1732) to Eleanor Stepney (d 1733) signed William Palmer (1673-1739), and in north east chapel that to Lady Margaret Stepney (d 1733) also by Palmer. In north transept is fine classical monument to Sir Thomas Stepney (d 1751) signed Palmer, probably Benjamin Palmer. The C19 series includes, at west end, an unusual neo-Grec monument with relief urns to Mary Stepney (d 1816); in north transept monument to E Mansel (d 1809) signed Tyley of Bristol and to Emma Chambers (d 1838) by Orton Rossi (1812-1851) and in chancel fine low relief bronze to Lt Col J C Cowell (d 1854) by Baron Carlo Marochetti (1805-1867), a copy of the marble original in St Paul's Cathedral. Two well lettered plaques of 1907 and 1908 to Bythway family and in nave 2 C18 style monuments, to match Stepney series to Sir Stafford Howard (d 1916) and Margaret Cowell Stepney (d 1921).

Over tower arch painted canvas Hanoverian royal arms.

Reasons for Listing

Of exceptional interest on account of interior with fittings and notable monuments.

In addition to the building, the following within the curtilage of the church are also listed:-

- Churchyard Cross in churchyard – Grade II listed;
- The War Memorial in churchyard – Grade II listed;
- Lychgate to churchyard – Grade II listed.

THE PROPOSAL

The application seeks full planning permission to replace the existing steps to the west door with new steps and ramp to allow wheelchair access to the church.

The existing stone steps to the west entrance would be dismantled and rebuilt 1400mm to the west to allow provision of a landing and a 1200mm wide ramp from the north side. The existing steps will be re-used where appropriate and additional steps sourced to match where required. The proposed ramp is 'L' shaped and wraps around the northern section of the tower.

It is indicated that paving to the ramp would be Forest of Dean blue/grey Pennant stone slabs of varying lengths with bush hammered wearing surface. The proposed retaining wall is to be of rubble sandstone to match existing walls to the church, slightly battered to match lower tower walls, with dressed stone kerb upstands to the ramp. Painted steel handrails are proposed to the ramp and steps to match profiles of existing.

In addition to the detailed drawings this full planning application has been accompanied by the following supporting documentation:-

- Archaeological Written Scheme of Investigation;
- Grant of Faculty documentation;
- Design and Access Statement and Heritage Impact Assessment;
- Access Audit;
- Supplementary Justification Statement.

STATUTORY DUTIES, GOVERNMENT POLICIES & ADVICE, COUNTY COUNCIL POLICIES

The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted Carmarthenshire Local Development Plan, 2014. As aforementioned the church building itself is Grade II* listed, with a number of other listed buildings/structures both within the curtilage of the church and within the locality. The site is located within Llanelli Town Centre's only conservation area.

Sections 16 (2), 66 (1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and to pay special attention to the preserving the character or appearance of the area.

Paragraph 6.2.1 of Welsh Government policy document 'Planning Policy Wales' (February 2018) sets out the Government objective that the historic environment is protected, managed and conserved.

Paragraph 5.12 of Tan 24 states that applicants for listed building consent are required to provide a heritage impact statement. This presents the results of a heritage impact assessment, which is a process designed to ensure that the significance of the building is taken into account in the development and design of proposals for change. Heritage impact assessments should be proportionate both to the significance of the listed building, and to the degree of change proposed, and the statement should provide enough information to allow the local planning authority to judge and impact when considering applications for listed building consent. In this instance whilst the application is for full planning permission and not LBC, the applicant has still submitted a Heritage Impact Assessment to inform the consideration of the application.

Paragraph 5.14 of Welsh Government Guidance Tan 24 states that many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing or new uses.

Paragraph 2.1 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states that the setting often an essential part of a buildings character.

Paragraph 2.2 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states to retain historical form and layout, together with any features relating to it, wherever practicable; reinstate where appropriate; respect inherited character in new work and alteration.

Paragraph 2.3 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states to retain all historical and materials and finishes wherever practicable; repair where necessary; respect inherited character in any renewal.

Paragraph 2.4 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states to retain historical details wherever possible; repair where necessary; reinstate where appropriate and respect historic character in any replacement.

Paragraph 2.5 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states retain internal layout and detail wherever possible; repair where necessary.

Paragraph 4.2 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states you will normally need listed building consent for repairs that do not match the existing historic fabric exactly, or which require the extensive removal of historic materials.

Paragraph 4.3 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states you may find that extensive renewal activity (such as re-roofing or re-rendering) is sometime necessary to keep a building in use.

Paragraph 4.4 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states the restoration or reconstruction of lost, destroyed or superseded elements of a building will only be justified if it enhances the building, improves its viability, and is based on authentic and compelling evidence.

Paragraph 4.5 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states new work or alteration may sometimes be necessary or appropriate to keep a historic building in long-term viable use or to give it a lease of life.

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

Policy SP13 of the Local Development Plan of the Built and Historic Environment states proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- Sites and features of recognised Historical and Cultural Importance;
- Listed Buildings and their setting;
- Scheduled Ancient Monuments and other sites of recognised archaeological importance.

Proposals will be expected to promote high quality design and that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

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

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

Policy EQ1 of the LDP seeks to protect buildings and features of historic importance and only supports development proposals which preserve or enhance the built and historic environment

THIRD PARTY REPRESENTATIONS

As aforementioned in this report, letters have been received which both support and oppose the proposed development. The material reasons for objection raised will now be addressed individually as part of this appraisal, however the suggestion that there has been a lack of stakeholder consultation prior to submitting the planning application is not a material planning consideration. Whilst the Local Planning Authority (LPA) fully advocates as much consultation as possible, this is not a statutory requirement for an application of this scale and nature.

The objector's question the suitability of the proposed ramp during an emergency evacuation event and raise health and safety concerns specifically in relation to lack of lighting proposals. They also draw reference to non-compliance with Approved Document M of the Building Regulations specifically in relation to the ramp width being less than the 1500mm required to ensure compliance. In response to these issues, what is proposed will clearly result in an improvement upon the existing situation at the west door in terms of inclusive access. Whilst Building Regulations is separate legislation it is worth noting that whilst Part M would normally require a ramp width of 1500mm in comparison to the 1200mm proposed, Part M does provide some flexibility when it comes to listed buildings and states that:-

"The need to conserve the special characteristics of such historic buildings must be recognised. They are a finite resource with cultural importance. In such work the aim should be to improve accessibility where and to the extent that it is practically possible, always provided that the work does not prejudice the character of the historic building, or increase the risk of long-term deterioration to the building fabric or fittings. In arriving at an appropriate balance between historic building conservation and accessibility, it would be appropriate to take into account the advice of the local authority's conservation and access officers, and English Heritage or CADW: Welsh Historic Monuments, as well as the views of local access groups, in order to make the building as accessible as possible."

In this instance the proposed ramp will clearly result in accessibility improvements in comparison to the existing situation. Increasing the width of the ramp further would result in the need to relocate a table tomb to the west of the tower. The LPA has consulted with its Disabled Access Officer as part of the consideration of this application however no response has been received.

The objector's believe that relocating the steps further westwards could impact on parking and vehicle movement within the church grounds in this location. In this respect the only vehicle access into the church grounds is via the Lychgate to the west, however this access is very narrow and can only be negotiated by very small cars. Therefore there is very limited parking and vehicle movement within the church grounds with most parking occurring outside at Bridge Street.

The main reasons of concern and objection raised relates to the perceived impact that the proposals will have on the heritage value of the building and the conservation area. Objectors believe that the faculty process and decision has given insufficient attention to such heritage issues, and believe that the applicant has failed to evidence as part of the planning application that other less damaging and less intrusive options have been considered and reasons why they have been discounted. Reference is also drawn to the lack of artist impression and archaeological investigation.

In relation to these points, and following advice from the Authority's Built Heritage Officer, the LPA requested further information and justification from the applicant during the course of the planning application process. This was subsequently received in the form of a Heritage Impact Assessment, Access Audit and Supplementary Justification Statement. A site meeting was also held on the 13th September between the applicant, agent and representatives from the LPA including the Built Heritage Officer.

In terms of alternative options it was clear to see at the site meeting that the provision of a ramped access and landing area to the east vestry doorway would require extensive groundworks as the existing external path gradient is excessive. This could potentially have an adverse impact upon archaeological interest and would be highly visible and harmful to the conservation area. The vestry door width is also too narrow and would need to be widened to accommodate a suitable access. In addition to these points, the internal floor level within the vestry is 450mm above the other internal areas of the Church, and therefore an access from the vestry side would also necessitate the need for an internal ramp.

With regards to the southern doorway, this is the most visually prominent elevation of the Church from the conservation area at Bridge Street and when viewed from adjacent listed buildings including the Grade I listed Llanelli House. To achieve a DDA compliant ramp in this location would require a significant structure that would be overly dominant. There is significant burial interest in close proximity either side of the southern doorway which would be disturbed by such a ramp in this location.

A temporary ramp solution is not deemed appropriate by the applicant as this raises concerns over anti-social behaviour. The installation and removal of such a temporary ramp would require careful management whilst there is a concern that such a ramp may not be available for more casual use occasions.

The Supplementary Justification Statement also refers to a number of previous internal and external alterations considered to facilitate improved access, including a more drastic extension proposal to the northern side of the building in a location where an old school house previously existed. The report provides justifiable reasons as to why all other options were discounted and the current proposal pursued.

The Authority's Built Heritage Officer, following the meeting and the submission of the additional information has provided the following comments:-

The applicant and agent has considered various alternatives to provide 'access for all' and has given justification to why these have been discounted.

All the alternatives in my opinion are feasible but would cause issues and indeed harm to the character and setting of the listed building.

With regards to the proposals to the tower; there are advantages with the scheme in that the proposals are to be designed to ensure that these are reversible not like a north porch. Whilst the proposal would clearly be seen as a new addition, to limit their impact the agent proposes to utilise the existing stone steps; and matching or traditional design and materials.

The proposals would also be seen as a conservation gain, in that the West Tower would be returned as the intended focal point of the church.

In addition, like many churches during the late 19th and early 20th century the Parish Church of St Elli has been subject to a scheme of adaption (with the exception of the tower) where the building was completely rebuilt. Therefore, it could be argued that the newest adaption is another part of the development of the Church.

Whilst it could be considered that the significant harmful impact on the character and setting of Tower has to be balanced against the substantial benefits that these and other proposals are intended to have i.e. better access facilities to assist the church to try and remain as a historical and functional part of the community.

‘Overall it could be considered in this instance that the importance and value derived from providing the church with better access, facilities for the community to use the building outweighs the undoubted physical impact on the character and setting of the Tower’.

In light of the above, the Authority’s Built Heritage Officer recommends that the application is approved subject to the imposition of a number of conditions.

With regards to the adequacy of the faculty decision making process, Members will be aware that the ecclesiastical exemption procedure during which the Church is effectively granted Listed Building Consent to undertake works, is a separate process which has no influence on the decision made on this planning application. The process is subject to certain procedures and consultation with relevant conservation bodies.

The application has been accompanied by an archaeological written scheme of investigation, to which the Authority’s Archaeological advisors, Dyfed Archaeological Trust has responded to advising that they have no objection as the works will be monitored through a watching brief.

There is no statutory requirement to provide artist impression drawings for consideration as part of a planning application.

The support letters received emphasise that the access improvements are required to allow continued and enhanced access in the interest of continually developing the church as a focal point in the community. The LPA considers that this is an important material planning consideration in this instance.

CONCLUSION

As Members will be aware, Carmarthenshire and especially Llanelli has experienced the closure of many of its historic buildings including churches and chapels over the last 10 years and their future remains uncertain. Therefore, the LPA welcomes the ‘concept’ of a scheme of proposals to the Grade II * listed building which includes improvements to access and facilities (which are subject to separate ecclesiastical exemption) to allow its continuing use.

The proposed ramp to the west tower, which is acknowledged to be the oldest part of the Church, will allow suitable and enhanced inclusive access to an otherwise restricted Church interior and ensure its continued use. Whilst the west entrance is probably the most legible entrance from the town due to the access path leading through and up from the listed Lychgate, a proposed ramp in this location is probably the least impactful when viewed from the conservation area. The proposed ramp construction will not be physically attached to the tower masonry, and will therefore be potentially reversible. The handrails will be attached

to tower masonry by fixed mortar joints and not via the stonework itself. The 'L' shaped nature of the proposed ramp, wrapping around to the northern elevation will ensure that it is partly hidden from views in certain directions, whilst a proposed ramp in this location is likely to have less impact upon archaeological interest.

Therefore on balance, and considering all other options available, the LPA considers that the option proposed is the most suitable in this instance. The significant impact on the character and setting of the Tower has to be balanced against the substantial benefits that the proposal intended to have i.e. better access facilities to assist the church to try and remain as a historical and functional part of the community.

On balance in this instance the LPA considers that the importance and value derived from providing the church with better access, facilities for the community to use the building outweighs the undoubted physical impact on the character and setting of the Tower. As such the application is put forward with a recommendation for approval subject to the following conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The works hereby granted consent 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:-
 - Location plan 1:1250 @ A4 (37) received 23rd May, 2018;
 - Existing ground floor plan 1:100 @ A1 (13A) received 23rd May, 2018;
 - Existing tower elevations 1:100 @ A1 (19B) received 23rd May, 2018;
 - Proposed ramp elevations 1:100 @ A1 (23C) received 23rd May, 2018;
 - Proposed ramp and steps 1:25 @ A1 (38) received 23rd May, 2018;
 - Proposed ramp and steps 1:25 @ A1 (40) received 1st August, 2018;
 - Ramped and stepped access – proposed details 1:10 @ A1 (44) received 1st August, 2018;
 - Existing external access arrangements 1:100 @ A1 (41) received 1st August, 2018;
 - Proposed ramped and stepped access to tower west door 1:25 @ A1 (43) received 1st August, 2018.
- 3 The development shall be undertaken in strict accordance with the Written Scheme of Investigation for a Watching Brief report received by the Local Planning Authority on the 1st August, 2018.
- 4 The proposed ramp shall be constructed to prevent unnecessary damage to the walls i.e. reversible without damage to the historic fabric and an elevation & through section to an appropriate scale shall be submitted to the Local Planning Authority for an assessment and written approval prior to works commencing on the development hereby approved. The drawings shall illustrate existing construction, materials, finishes and what is proposed i.e. the ramp in relation with the tower, and the works proposed to the tower.

- 5 Prior to the commencement of development samples of the proposed stone shall be provided to the Local Planning Authority for its written approval.
- 6 Where it proposed to abut the ramp against the tower walls the materials used in the ramp construction shall be breathable.
- 7 A lime mortar shall be used to bed and point the stone.
- 8 The stone walls shall have a traditional painted finish.
- 9 The proposed uprights to the iron railings shall be fixed in the traditional way of lead lined pockets.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990
- 2 In the interest of visual amenity
- 3 To preserve archaeological interest whilst enabling development
- 4-9 In the interest of visual amenity and to preserve the character of the listed building

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposed development complies with Policy SP13 of the LDP in that the proposed works have been sufficiently justified and on balance the value derived from the proposed works in this instance are considered to outweigh the undoubted physical impact on the character of the listed Church itself.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and are justified to enhance accessibility to the Church.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ1 of the LDP in that the development proposals have been sufficiently justified in relation to the built and historic environment.

NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

Application No	S/37581
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Application Type	Outline
Proposal & Location	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AT LAND AT, LLWYNCYFARTHWCH, LLANELLI, SA15 1GY

Applicant(s)	CARMARTHENSHIRE COUNTY COUNCIL - WENDY WALTERS, COUNTY HALL, CARMARTHEN, CARMARTHENSHIRE, SA31 1JP
Case Officer	Robert Davies
Ward	Bigyn
Date of validation	27/07/2018

CONSULTATIONS

Head of Property - No response received to date.

Llanelli Town Council – No response received to date.

Local Members – County Councillors J Edmunds and E Morgan have not responded to date.

Land Drainage Officer – No objection.

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

The Coal Authority – No objection subject to conditions.

Neighbours/Public – Nine neighbouring properties notified of the application. To date, six letters of representation have been received raising the following concerns and objections:-

- The land was originally a play area/open space and should be retained for that purpose.
- Existing dwellings have a right of access across the land to avoid taking refuse through the houses.
- Existing surface water flooding/drainage issues. Rear gardens currently get waterlogged. This will be exacerbated.
- Loss of hammerhead for parking purposes.
- Loss of amenity – overlooking and loss of light.
- Scale and position on elevated land not acceptable.
- Impact on foundations of surrounding properties.

- Neighbours should be given an opportunity to purchase the land to extend their gardens.
- Noise and disturbance.
- Devaluation of property.

RELEVANT PLANNING HISTORY

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

D5/15477	Residential development of 57 dwelling	No decision
D5/11390	Residential development of 36 dwellings Approved	05 June 1989
D5/10757	Residential development	No decision
D5/10175	Residential development Approved	26 October 1987

APPRAISAL

This is an application in which Carmarthenshire County Council has an interest either as applicant/agent or in terms of land or property ownership.

THE SITE

The application site consists of an irregular shaped, level parcel of overgrown grassland located at the end of the southern section of Coedcae Road and to the rear of no's 1 to 8 Llwynycfarthwch. The northern and eastern boundaries are well defined by mature trees, whilst the southern and eastern boundaries are defined by boundary walls and fences which form the rear boundaries of nos. 1 to 8 Llwynycfarthwch.

It appears that the area of land was used historically as a formal play area, as shown on the Authority's own aerial photographs between 1999 and 2001. On more recent aerial photos from 2006 onwards it appears that the formal play area had been removed and only an informal grassed area remained.

THE PROPOSAL

The application seeks outline planning permission for residential development with all matters reserved for future consideration. The indicative scheme shown on the submitted drawing depicts one detached dwelling whilst the supporting statement suggests that the level site is suitable for either a single storey or two storey dwelling.

The scale parameters suggested for a two storey dwelling are:

Depth: 8-10 metres
Width: 10-12 metres
Height to roof ridge - 7.0 to 9.0 metres

Such detail is purely for indicative purposes at this stage.

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

PLANNING POLICY

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy EP3 of the LDP 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.

Policy REC1 of the LDP Protection of Open Space states:-

Provision will be made to protect and wherever possible enhance accessibility to open space. Proposals which result in the loss of existing open space will only be permitted where:

- a) It is demonstrated that there is provision of at least equivalent value available within the settlement, or where applicable the sustainable community, in an accessible location; and,
- b) It is demonstrated that the need for the facility has ceased; and,
- c) A deficiency of open space is not created through its loss; or,
- d) The re-development of a small part of the site would allow for the retention and improvement of the facility.

THIRD PARTY REPRESENTATIONS

As aforementioned in this report, six letters of representation have been received. The material reasons for concern and objection raised will now be addressed individually as part of this appraisal. Members of the Planning Committee will however be aware that the following matters raised are not considered to be material planning considerations:-

- Right of access;
- Impact on foundations of existing properties;
- Neighbours should be given an opportunity to purchase the land themselves;
- Devaluation of property.

One of the main reasons for objection raised by respondents relates to the fact that the land in question was originally designated as a play area, and in their opinion this should remain to be the case. As aforementioned in this report, historic aerial photographs confirm that a formal play area did once exist on the site but this was subsequently removed and only an informal grassed area remained from at least 2006 onwards.

In relation to this specific point, Policy REC 1 “Protection of Open Space” is the most pertinent policy within the LDP. During the course of the planning application process the applicant was asked to address the specific requirements of Policy REC1 in relation to this current application. The following are the key points of the response received:-

- The site is not allocated as Open Space in the Local Development Plan.
- Whilst it is recognised that there were play facilities on this site in the past, these were removed by the Council due to the fact there were too many playgrounds within the vicinity.
- The site is located within an urban area of Llanelli, and within close proximity to several, and alternative open spaces provisions.

In terms of Play Space, The National Playing Fields Association (NPFA) ‘Six Acre Standard’ recommends that Local Authorities provide six acres (2.4 ha) per 1,000 population of ‘playing space’. Under this standard ‘playing space’ is defined as “space that is safely accessible and available to the general public and of a suitable size and nature, for sport, active recreation or children’s play.”

Within the ‘Six Acre Standard’, ‘playing space’ is divided into:

- 1.6 ha of outdoor sports facilities;
- 0.8 ha of children’s play areas, of which:
 - 0.6 ha of informal play areas;
 - 0.2 ha of equipped play areas.

The site is located some 450m from Penyfan playing fields, an area of 5.4ha of recreation land which includes sport fields and play areas with investments in play equipment. Access to the playing fields from the application site is via Coedcae Road and Trostre Road, which runs along Coedcae School, and it provides a safe route for members of the public to access. The development of the proposed application site would not create a deficiency of open space within this area and accord with the six acre standard.

Secondly, there are play facilities and equipment available at Nightingale Court, some 290m away from the application site, which would satisfy the requirements of providing suitable open space facilities close to the homes within close proximity of the application site.

On the basis of the above justification, the Local Planning Authority (LPA) considers that on balance the proposal does not compromise the requirements of Policy REC1 of the LDP.

The second issue of concern and objection raised relates to drainage. Objectors state that there are existing surface water flooding drainage issues in the area, with gardens already waterlogged. They opine that such issues will be exacerbated by the proposed development. The planning submission indicates that surface water drainage from the development will be dealt with via soakaways. The indicative drawing also makes reference to the potential use of rainwater harvesting. The Authority’s Land Drainage Officer has been consulted on the application, and has raised no objection. He has stated that the application site is large enough to accommodate suitable designed soakaways, however this will be subject of detailed design. In this respect a suitably worded condition can be imposed on any planning permission granted requiring further details for consideration and approval.

Whilst the existing hammerhead in this location, which effectively defines the end of the southern section of Coedcae Road, can be used for parking purposes in the absence of on street parking restrictions, Members will be aware that they are not designed for parking purposes. It is not considered that the loss of the hammerhead in this respect will create a deficit of on street parking to the overall detriment of highway safety. There are numerous other on street parking opportunities available within the vicinity.

In terms of the concerns raised over loss of amenity from overlooking and loss of light, and the scale and positioning of the proposed development in relation to existing dwellings, Members will be aware that the drawings submitted with the application and purely for indicative purposes at this stage. They do however serve to show that the application site is large enough to accommodate residential development with associated access, parking and amenity space without resulting in an overdevelopment of the site. Adequate separation distances can be achieved between the proposed development and existing residential dwellings surrounding the application site. Therefore subject to detailed consideration as part of any subsequent reserved matters submission the LPA considers a development of suitable scale and design could be achieved which does not adversely affect the residential amenity of existing dwellings.

The final issue of concern and objection raised relates to noise and disturbance. In this respect whilst there may be some noise and disturbance issues associated with the construction phase of the proposed development this is only on a short term basis only. In the longer term the proposed residential end use is considered fully compatible with surrounding land uses.

CONCLUSION

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

The indicative plans submitted depict that the application site can adequately accommodate a modestly sized residential development with associated access, parking and amenity areas.

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

In accordance with Policy AH1 of the Adopted Local Development Plan, the applicant has agreed to provide a financial commuted sum contribution towards affordable housing, and this will be secured as part of the Contract of Sale. As this is an outline application only at this stage, the contribution will be levied at £53.35 per sqm of internal floorspace which is relevant contribution in this area of Llanelli.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The permission now granted relates to the land defined by the 1:2500 location plan and 1:500 scale block plan received on the 6th March, 2018.
- 2 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
 - a) the expiration of five years from the date of this outline planning permission;
 - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 3 Development shall not commence until detailed plans of the access; appearance; landscaping; layout; and scale of each building stated in the application, have been submitted, and received the written approval of the Local Planning Authority.
- 4 No building shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the site potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a period for its implementation; and
 - iii) provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 5 Prior to the submission of reserved matters the following shall be submitted to and approved in writing by the Local Planning Authority:-
 - The submission of a scheme of intrusive site investigations for approval;
 - The undertaking of that scheme of intrusive site investigations;
 - The submission of a report of findings arising from the intrusive site investigations, including the results of any gas monitoring;
 - The submission of a scheme of remedial works for approval.

Thereafter the approved scheme, including any remedial measures identified shall be implemented strictly in accordance with the detail submitted

- 6 A Root Protection Plan and Tree Protection Plan shall be submitted with any subsequent reserved matters submission in order to demonstrate that the trees identified within the submitted tree survey will be retained and protected.

REASONS

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

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Llanelli and accords with all other policies of the plan.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.
- It is considered that the proposal complies with Policy H2 of the LDP in that the proposed housing development is located within defined settlement limits and accords with the principles of the plan's strategy and its policies.

- It is considered that the proposal complies with Policy AH1 of the LDP in that the applicant has agreed to provide a commuted sum financial contribution towards affordable housing.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.
- It is considered that the proposal complies with Policy REC1 of the LDP in that it will not result in the significant loss of informal and formal open space within the community catchment area.

NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 2 Any prospective purchaser(s) of the land referred to in this Planning Permission will be required in the Contract of Sale to enter into a S106 Agreement with Carmarthenshire County Council for the provision of a financial contribution towards the provision of affordable housing in the locality. The contribution will be calculated upon the basis of a payment of £53.35 per square metre of internal floor space of the dwelling proposed.
- 3 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

Application No	S/37693
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Application Type	Variation of Planning Condition(s)
Proposal & Location	VARIATION OF CONDITION NO. 3 (THE PREMISES SHALL BE USED SOLELY FOR PURPOSES OF THE STORAGE OF SHOES) OF S/36969 TO ALLOW CUSTOMERS TO BE ABLE TO PICK UP VIA AN APPOINTMENT ONLY BASIS AT 21 PARK VIEW DRIVE, KIDWELLY, SA17 4UP

Applicant(s)	MRS LOUISE KINGDON, 21 PARK VIEW DRIVE, KIDWELLY, SA17 4UP
Case Officer	Robert Davies
Ward	Kidwelly
Date of validation	20/08/2018

CONSULTATIONS

Head of Highways and Transport – No objection.

Kidwelly Town Council – No response received to date.

Local Members – County Councillor J Gilasbey has not responded to date. Cllr Gilasbey is a Member of the Planning Committee.

Neighbours/Public – Five neighbouring properties notified of the application. To date, three members of the public have responded raising the following concerns and objections:-

- Assurances were given when the previous planning application for B8 storage was being considered that customers would not be allowed to call at the premises. This application seeks to change that requirement and raises questions if approved of the correctness of the previous information given. It represents planning change by the “back door”.
- To have customers calling to the premises the appropriate planning class should be A1 as the premises will operate as a shop. The most appropriate location for such a use would be in the centre of Kidwelly.
- The basis of the request that customers would be able to save on postage costs does not provide sufficient justification. Shoe Kingdom is an internet business so customers will be aware of such postage costs.

- Shoe Kingdom currently offer their customers the opportunity to collect their shoe purchases at a retail unit in Kidwelly town centre. Therefore there is no need to collect from the storage facility operating in a residential area.
- An alternative arrangement that could be more appropriate is for Shoe Kingdom to operate a local delivery service as against a collection facility.
- Highway safety – there are no details of the parking arrangements for customers. When the property was previously operating as a shop without planning permission, cars were parked on the street. The parking requirement associated with the occupation of the property is for 7 vehicles to be based at the property. The garage is already no longer available for parking purposes.
- Extra traffic movements in the area would need to be taken into account including recent outline planning permission for further residential development on adjacent land. Park View Drive is a residential area and the road layout reflects this.
- There are already traffic congestion issues along the Station Road and Bridge Street junctions, and this will be exacerbated. There are no alternative exits for this part of Kidwelly.
- The existing traffic movements associated with a child minding service that operates from the property opposite also needs to be considered. This use has been in existence since 2005 and does not require planning permission. It results in a maximum of 12 vehicle movements per day, where the most convenient drop off and pick up points on health and safety grounds is at the front gate.
- Customer collection times should not be allowed to occur between the hours of 8am to 10am and 3pm to 6pm Monday to Friday as this will conflict with the child minding service car vehicle movements.
- There is a clear difficulty with the drive out arrangement proposed due to the access alignment plus it will also conflict with the child minding pick up/drop off area. No right turn should be enforced on the second entrance or reverse parking from first entrance to ensure that there is no issue in this respect.
- The area on the left inside the garage is the most appropriate area for a collection point and not that shown. The aim is to clearly maximise sales and would mean that the most appropriate use class is A1.

RELEVANT PLANNING HISTORY

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

S/36969	Storage of shoes in garage – domestic and business use Full planning permission	30 April 2018
S/02809	Proposed detached dwelling and garage Full planning permission	03 January 2001

S/02680	Proposed residential development Reserved Matters granted	12 October 2000
S/01521	Renewal of planning consent D5/17160 residential approx. 15 units Outline planning permission	27 October 1998
D5/17160	Proposed residential development Outline planning permission	12 October 1995

APPRAISAL

THE SITE

The application site consists of 21 Park View Drive, a large detached dwelling located within a residential estate off Station Road in Kidwelly. The property itself is set within a spacious curtilage with driveways either side of the dwelling, with off street parking also available to the front of the property.

A large detached garage is located within the north western section of the domestic curtilage, and the planning application relates to this.

THE PROPOSAL

The application seeks planning permission to vary Condition 3 of planning permission S/36969. This previous planning permission allowed for the storage of shoes within the ground floor of the garage in association with a shoe selling business which the applicant runs.

Condition 3 of S/36969 read as follows:-

“The premises shall be used solely for purposes of the storage of shoes within the B8 use class to the Town and Country Planning (Use Classes) Order 1987 (As Amended), and for no other purpose within that use class.”

The applicant wishes to vary Condition no.3 to allow customers to be able to pick up purchased shoes on an appointment basis only.

As part of the planning application submission the applicant has explained that the main activity of her business is in relation to pop up shop events, which happen in various locations across the whole of South Wales in hotels, public houses, village halls etc. The business is also web and Facebook based and therefore entails the postage of shoes to customers. The applicant did previously allow customers to pick up shoes from the premises, and since closing this the applicant states that she has lost some more localised custom. Therefore the planning application seeks to allow collection by customers on an appointment basis only.

A revised ground floor plan submitted during the course of the planning application process indicates that the main use of the garage will remain B8 storage of shoes, however a small collection point will be provided to the front part of the garage building.

The applicant has indicated that customer collection will be by appointment basis only, with appointments staggered one hour apart. Therefore there will be only one customer and one customer vehicle present on site at any one time. The applicant will arrange and manage the bookings herself and is amenable to keeping a log book to this effect which can be inspected by the Local Planning Authority at any time.

A revised parking plan was submitted during the course of the planning application process which clearly designates areas of parking within the site for both residence and customers. Due to having the benefit of two access and egress points, customers will be able to drive in the first entrance and drive out the other. The applicant intends to advise customers to park in this designated area when appointments are made.

The applicant has confirmed that the first floor of the garage will not be used for the storage of shoes and will remain domestic, whilst the applicant does not have any other offsite storage locations.

In terms of deliveries of shoes, the applicant has confirmed that there are approximately 1-2 deliveries of shoes per week. Some weeks there are no deliveries.

PLANNING POLICY

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

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

Policy GP1 of the LDP permits development proposals which conform to the character of the building or area; do not have a significant impact on the amenity of adjacent properties; and do not give rise to parking or highway safety concerns.

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

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

Policy EMP3 of the LDP relates to proposals for extension and/or extension of existing employment enterprises. It permits such proposals provided that it does not intensify a use that might result in adverse amenity issues, or may not be compatible with neighbouring issues; and provided that the proposals are of an appropriate scale and form compatible with its location.

THIRD PARTY REPRESENTATIONS

As aforementioned in this report, three members of the public have written in objecting to the application. The material reasons for objection raised will now be addressed individually as part of this appraisal.

One of the objectors state that assurances were given by the LPA as part of the previous B8 storage application that no customers would be allowed to call at the premises and therefore now questions the accuracy of that information. In relation to this, the previous application did not propose a customer collection facility and therefore any information previously given to this effect as part of the consideration of that application was correct at the time. Members will however be aware that the LPA cannot prevent an applicant submitting a subsequent application to vary the limitations or conditions of a previous application as is now currently the case. The LPA must consider such a proposal on its own individual merits.

The objector suggests that the most appropriate use class for what is proposed would be class A1 as the premises will operate as a shop, and would be best located in the centre of Kidwelly. It is opined that the revised floor plan drawing submitted with the collection point as shown emphasises this. In relation to this, the applicant has been asked to confirm during the course of the planning application process that the proposed use class will remain as B8 storage as previously approved by the LPA. The revised floor plan drawing indicates this whereby the vast majority of the floorspace subject of this planning application is shown to be used for the storage of shoes only, with only a small area given over for a collection point.

Having visited the site the LPA has seen for itself that the garage at present is only laid out for the storage purposes with shelving and storage tables, including the area to the left hand side. The most logical area proposed for a collection point is that as shown on the submitted drawing. During discussions with the applicant the LPA has emphasised that if approved, the storage area needs to remain as it is, with the exception of the collection area, and the internal area not altered for display purposes which would be more akin to a retail use. The LPA can subsequently inspect the premises at any time to ensure compliance with this arrangement. As such the LPA is considering this application as a B8 storage application with ancillary collection point, and not an A1 retail use proposal. The roller shutter garage door is to remain and the proposal will not result in a development that has a commercial appearance.

The objectors have questioned the justification for the proposed collection point stating that saving on postage costs is not sufficient justification. They refer to the arrangement that the applicant currently has with one of the retailers in Kidwelly town centre whereby customers can collect their shoes. Why can't this arrangement continue or a local delivery service proposed. Whilst the LPA must consider the application proposal on its own merits it has taken the opportunity to question the applicant on some of these points.

The applicant has stated that the current arrangement for collection at a local beauty salon is only a temporary arrangement which comes to the end in October, whilst she has advised that offering a local delivery service is not an option due to cost and time.

The main reason for concern and objection raised by objectors seems to relate to highway safety and residential amenity. There are concerns over the additional traffic generated by the proposal, the implications upon access arrangements and car parking and challenge that this is not a compatible use to have in a residential area. Reference is drawn to existing traffic congestion issues along Station Road and Bridge Street, whilst objectors opine that proposals should be considered in light of the additional housing proposed in the area and implications upon an existing child minding business run from the property opposite.

As aforementioned in this report, the B8 storage of shoes use has already been approved in this location. The current application does not seek to alter the nature of the use, it purely seeks to vary the condition to allow shoe collection via an appointment basis only. Discussions during the course of the planning application process have indicated that such appointments could be staggered one hour apart, ensuring that only one customer and one customer vehicle would be present at the site at any one time. Further discussions with the applicant have established that whilst it is difficult for her to predict exact timings as this will vary depending on when the applicant is home due to a busy pop up shop schedule, she has suggested that the collection element would result in a maximum of five customer collections per day. This arrangement to ensure a maximum of five collections per day staggered over an hour slot arrangement will not in the LPA's opinion result in a discernible and certainly not excessive increase in traffic generation which would be detrimental to either highway safety or residential amenity. A condition can be imposed on any planning permission granted to ensure that this suggested arrangement is adhered to and a log book retained to this effect by the applicant, which can be made available for inspection by the LPA if required.

In terms of access and parking arrangements, the application property benefits from having a significantly large domestic curtilage. The revised parking plan submitted indicates which areas will be retained for domestic parking, with only the front space made available for customers to use. As customers will be calling via an appointment basis only, staggered at least one hour apart with a maximum of five per day, it is considered that there is sufficient on-site parking available. The existing access/egress arrangements at the property are considered appropriate to deal with this level of additional use.

In relation to highway safety matters Members will have noted that the application has been considered in detail by the Authority's Head of Transport who has raised no objection towards the proposed development.

CONCLUSION

As aforementioned planning permission has already been granted to use part of the ground floor of the garage for a small scale commercial development relating to the storage of shoes. The application purely relates to the customer collection element as described in the above report.

The application site is located within the defined settlement limits of Kidwelly as delineated within the Adopted LDP. The LPA fully acknowledges that the application site is in a residential area, however considers that the scale and nature of the proposal will not result in a development that is incompatible or unacceptable within this context. The LPA is confident that suitably worded conditions can be imposed on any planning permission granted that safeguard the residential amenity and highway safety position.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such, the application is put forward with a favourable recommendation subject to the imposition of the following conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
 - Proposed floor plans, elevations, block and location plan (1003A) 1:50; 1:100; 1:200; 1:1250 @ A1 received 21st August, 2018;
 - Proposed elevations 1:50 @ A4 received 21st August, 2018;
 - Ground floor plan @ A4 received 13th September, 2018;
 - Floor plan @ A4 received 13th September, 2018;
 - Parking site visit plan 1:200 @ A4 received 13th September, 2018;
 - Customer parking plan @ A4 received 13th September, 2018;
 - Private parking and turning areas plan @ A4 received 13th September, 2018.
- 3 The development hereby approved is for the use of the premises for purposes of the storage of shoes and for no other purpose including any other purpose in Class B8 of Schedule 2 of the Town and Country (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without variation. The collection area shown on the approved plans shall only be used for ancillary purposes to the B8 use.
- 4 No more than five customer's collections should occur per day of the week whilst no more than one customer shall be present at the premises at any one time, with collection appointments staggered at least one hour apart. A register shall be kept of each individual customers name and time of arrival and departure. The register shall be available for inspection by the Local Planning Authority on demand.
- 5 Deliveries shall not be taken at or dispatched from the site outside the hours of 07:00 to 19:00 Monday to Friday, 07:00 to 13:00 on Saturdays, and at no time on Sundays or Public Holidays.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity.
- 3 In the interest of preserving amenity and so as to remain within the Use Class specified in the General Development Order.
- 4 In the interest of preserving amenity and to ensure that the development operates in the manner as described in the planning application submission.
- 5 To preserve the amenities of the area and protect the hours of sleep.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposal complies with Policy GP1 of the LDP in that the development as proposed is not considered to be detrimental to highway safety or residential amenity, and is considered to be compatible with the surrounding residential area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Kidwelly and accords with all other policies of the plan.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EMP3 of the LDP in that the development as proposed is not considered to be detrimental to residential amenity and is of a scale and form compatible with the location.

NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

Application No	S/37793
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Application Type	Full Planning
Proposal & Location	AN EXTENSION TO AN AUTHORISED GYPSY CARAVAN SITE TO ACCOMMODATE TWO ADDITIONAL STATIC RESIDENTIAL GYPSY CARAVANS TOGETHER WITH THE ERECTION OF TWO DAY/UTILITY ROOMS, TWO TOURING CARAVANS, INSTALLATION OF SEPTIC TANK AND THE RETENTION OF WORKS TO CREATE A HARDSTANDING AND NEW ACCESS AT LAND AT TY NEWYDD, LLWYN TEG, LLANNON, LLANELLI, SA14 8JN

Applicant(s)	MR DOLFEY E D BURNS, C/O AGENT,
Agent	HAYSTON DEVELOPMENTS & PLANNING LTD, ANDREW VAUGHAN-HARRIES, THE PLANNING STUDIO, HAYSTON BRIDGE, JOHNSTON, HAVERFORDWEST, SA62 3HJ
Case Officer	Gary Glenister
Ward	Llannon
Date of validation	13/09/2018

CONSULTATIONS

Head of Transport – Has not commented to date.

Head of Public Protection – Has no objection to the proposed development.

Llannon Community Council – Objects to the proposal on the basis that it is wholly inappropriate at this location and represents an inappropriate development in the open countryside.

Local Member – County Councillor E Dole has requested that the application be determined at Planning Committee and objects to the proposal. Councillor D Jones is a member of the Planning Committee and has not made prior comment.

Dwr Cymru Welsh Water – Has no observations as non mains drainage is proposed.

Natural Resources Wales – Has no objection however highlights that there are dormouse records within 9m of the site. The County Ecologist has been consulted and further advice will be provided in the addendum.

Neighbours/Public – The application has been advertised by site notice. 1No objection has been received to date raising the following matters:-

- lack of justification;
- highway safety.

RELEVANT PLANNING HISTORY

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

S/22734	Retention of existing use as gypsy caravan site. Non determination Appeal upheld	5 May 2011
S/12322	Change of use to gypsy caravan site for applicant and applicant's immediate family only Change of use refused Appeal upheld	30 May 2006 10 May 2007
S/7888	Use of land for stationing of up to 4 caravans for residential occupation (gypsy) Change of Use refused	27 January 2005

APPRAISAL

This application has been submitted as a result of action by the Planning Enforcement Team.

THE SITE

The application site is a parcel of land approximately 40m wide by 21m deep to the north of the C2130 road between Llwynteg and the A48. Historic maps show a dwelling on the adjoining site where the established site is now situated. The application site appears to have been historically linked to the established site as a small parcel of land to the North East of the dwelling which may have been its private garden area.

The site has an existing approved site to the South West which is occupied by two static caravans and a day room. There are also small ancillary storage boxes on site.

The site is set within undulating countryside and comprises a pattern of irregular shaped fields of primarily improved grassland enclosed by a network of native hedgerows. The site was historically linked to a cottage and private garden so is well contained within established boundaries. The site is to the North East of a loose cluster of properties known as "Llwynteg" although it is not considered to be a defined settlement.

The application site is therefore located in open countryside and is not related to any recognised settlement, nor can it be considered to be in close proximity to any public transport corridor. There are no services or facilities within convenient walking distance of the site. The isolated location is further exacerbated by the inadequacy of the surrounding road network.

However, it should be noted that the site was considered at appeal in 2011 and found to be a suitable location for a gypsy and traveller site given that it lies in an area of open countryside between the settlements of Llannon and Cross Hands and is relatively close to the main A48 dual carriageway. The Inspector opined therefore that it was relatively well related to services and suitable for a small single family site.

The site is within the Caeau Mynydd Mawr SPG area so a contribution towards Marsh Fritillary Butterflies will be applicable.

THE PROPOSAL

The application seeks to extend the established approved site by adding two static caravans with associated day rooms and parking for a touring caravan and private vehicles. The proposal is partly retrospective as material has been deposited to form a hard standing, however no other work has been carried out on the site.

A case has been put forward that additional units are needed to house the sister of the owner of the established Ty Newydd. The sister currently resides on an official site known as Castle Quarry in Pembrokeshire, and wishes to move close to her brother and his family. The second caravan is intended for her son who is the applicant. It is noted that both the brother and sister inherited the site from their father and only the brother's half has been occupied to date. The applicant therefore seeks to justify an increase in numbers onto the rest of their land through family connections.

PLANNING POLICY

In the context of the current development control policy framework the site is outside the settlement development limits of Llannon as defined in the Local Development Plan.

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

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

Policy H7 Gypsy and Traveller Sites provides a criteria based policy on how to determine new or extended sites. They will be allowed provided that the location is "reasonably accessible" to a range of facilities etc., close to a main transport route, not be detrimental to third parties, is serviced and would have no adverse effect on the landscape or historical environment.

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

Policy EQ7 Development within the Caeau Mynydd Mawr SPG Area requires contributions from development which go towards sites under management for the Marsh Fritillary Butterfly. This is needed to comply with the European Habitat Directive.

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

National policy advice relating to gypsy and traveller caravan sites is set out in Welsh Government Circular 005/2018. There are also accompanying documents namely the documents Enabling Gypsies, Roma and Travellers (June 2018) and Managing Gypsy and Traveller Sites in Wales 2015.

THIRD PARTY REPRESENTATIONS

The justification for the proposal is family connections. The applicant seeks to establish a family unit on land owned by his mother and adjacent to his uncle. His mother (the land owner) is proposed to occupy the second residential unit. In this way, the family can be together.

In terms of highway safety, the site is on a straight piece of road and the applicant has control over the road frontage so visibility is achievable. A condition is recommended to ensure that there is no growth or obstruction to visibility over 0.9m within 2.4m of the carriageway.

CONCLUSION

After careful consideration of the site and surrounding environs in the context of the application it is considered that the site forms an extension to an established approved site which is occupied by a single family. The established site has permission for no more than four caravans, two static and two tourers

The definition of a Gypsy and Traveller is set out in the Housing Act 2014 as follows:

- (a) Persons of a nomadic habit of life, whatever their race or origin, including –
 - (i) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and
 - (ii) Members of an organised group of travelling show people or circus people (whether or not travelling together as such); and
- (b) All other persons with a cultural tradition of nomadism or of living in a mobile home.

The case put forward is that they seek to relocate to be close to the established family unit on a site that was inherited many years ago but never developed.

The site is in open countryside, being approximately 2.5km by road from the nearest settlement of Llannon which has no facilities other than the church and school. The nearest settlements with a range of facilities are Cross Hands (approx. 6km), Tumble (approx. 6km) and Hendy (approx. 8.5km). The site is reasonably related to an area known as Llwynteg, however this is a loose collection of residential properties and a chapel which has recently closed to regular worship. The site is not considered to be well related to schools, shops, medical and other community facilities. However, this site was tested at appeal in 2011 and at the time Circular 30/2007 (now superseded) stated that there should be flexibility and the proximity to services by modes of transport other than the private car was not a reason to refuse permission. The previous appeal was therefore allowed.

Circular 005/2018 which supersedes 30/2007 provides the most up to date National advice which is grounded in the Wellbeing of Future Generations Act 2015. The Circular seeks to ensure that “Gypsies and Travellers should have equal access to culturally appropriate accommodation as all other members of the community.” Paragraph 12 states “Some Gypsies and Travellers may wish to find and buy their own sites to develop and manage. An increase in the number of approved private sites may release pitches on local authority sites for Gypsies and Travellers.” The Circular goes on to reinforce the Housing Act duty to keep an up to date Accommodation Assessment to ensure the needs of the community are met. Paragraph 17 refers to and paragraph 26 addresses the benefit of local authorities working together on the assessments and taking a strategic regional approach. In this case, the proposal is for the extension of a privately owned and managed site that would free up space on the Castle Quarry Site in Pembrokeshire and not put pressure on Carmarthenshire to find a pitch on a public site for the family to be close to relatives.

Given the previous appeal on the site being allowed, it is considered that the site is in a suitable location for the modest extension of the single family site. This would complete the development of the site the family has owned historically so there is no further expansion available within the family’s ownership. The site is well defined and poses no unacceptable adverse impacts to third parties. Therefore it is considered to be acceptable in accordance with local and national policy.

The site is within the Caeau Mynydd Mawr SPG area so a contribution is applicable. This would be on the basis of two residential units, so that contribution would be £2,086.00. The recommendation for approval is subject to the applicants entering into a unilateral undertaking to secure this contribution.

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 hereby permitted is shall be carried out strictly in accordance with the following schedule of plans dated 6 September 2018:-
 - 1:2500 scale Location Plan. Drawing No. 01a;
 - 1:500 & 1:2500 scale Block and Location Plan. Drawing No. 02a;
 - 1:200 scale Site Plan. Drawing No. 03a;
 - 1:100 scale Context Section. Drawing No. 04;
 - 1:50 & 1:100 scale Floor Plans and Elevations of Day Room. Drawing No. 05;
 - 1:200 scale Septic Tank Details. Drawing No. 06.
- 3 The site shall not be occupied by any persons other than Gypsies and Travellers as defined in paragraph 2 of Circular 005/2018 “Planning for Gypsy, Traveller and Showpeople Sites”.
- 4 The occupation of the site hereby permitted shall only be by Mr Dolfey Burns Senior, Mr Dolfey Burns and their resident dependants.

- 5 Should the land cease to be occupied by those named in Condition 4 above, the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to the land in connection with the use shall be removed and the land shall be restored to its former condition within 6 months.
- 6 No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 2 shall be static caravan or mobile home) shall be stationed on the site at any time.
- 7 No commercial activities shall take place on the land, including the storage of materials, nor shall any vehicle over 3,5 tonnes be stationed, parked or stored on it.
- 8 There shall at no time be any growth or obstruction to visibility over 0.9m metres above the adjacent carriageway crown, over the site's whole C2130 Road frontage within 2.4 metres of the near edge of the highway.
- 9 The parking spaces and layout shown on the plans herewith approved, shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.
- 10 Prior to its use by vehicular traffic, the new shared private drive shall be laid out and constructed with at least a 4.1m carriageway width.
- 11 Within 3 months of the permission hereby granted, the shared private drive shall be hard surfaced for a minimum distance of 5m behind the nearside edge of carriageway, in materials which shall be subject to the prior written approval of the Local Planning Authority.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenities.
- 3-4 Permission is personal for the applicant and dependant relatives.
- 5 To ensure restoration of the site once the use has ceased.
- 6 To limit the scale of usage to reflect the personal permission.
- 7 To protect the character and amenity of the open countryside.
- 8-11 In the interests of highway safety.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposal complies with Policy GP1 of the LDP in that it is appropriate in terms of scale and design, and will not cause unacceptable loss of amenity to neighbouring uses.
- The proposal complies with Policy H7 of the LDP in that it is situated in an acceptable location and is not likely to have an adverse impact on the amenities of third parties, or the character of the surrounding landscape.
- The proposal complies with Policy TR3 in that the site is on a straight stretch of road and is not likely to have an adverse impact on highway safety.
- The proposal complies with Policy EQ7, in that the applicant has agreed to a legal agreement to secure a contribution towards the Morfa Farm site within the Caeau Mynydd Mawr SPG area.

NOTES

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

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

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

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

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).
- 3 The applicant's attention is drawn to the unilateral undertaking securing a contribution of £2,086.00 towards the management of a specific site within the Caeau Mynydd Mawr SPG area.

Mae'r dudalen hon yn wag yn fwriadol

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 18 HYDREF 2018
ON 18 OCTOBER 2018**

***I'W BENDERFYNU
FOR DECISION***



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	18 OCTOBER 2018
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
W/37263	Construction of one dwelling at Plot 4, Drefach Road, Plasydderwen, Meidrim, Carmarthenshire

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
W/36131	Proposed partial change of use of small area within timber frame factory/workshop for use as a fitness gym & spinning space (to let). Change of use of part of adjacent field as dedicated parking area for the proposed gym and spin use at Workshop, Bwlch Y Domen Isaf, Pant Y Bwlch, Newcastle Emlyn, SA38 9JF

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/37263
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Application Type	Outline
Proposal & Location	CONSTRUCTION OF ONE DWELLING AT PLOT 4, DREFACH ROAD, PLASYDDERWEN, MEIDRIM, CARMARTHENSHIRE

Applicant(s)	MR LEE BREMNER, 25 RHODFA MORGAN DRIVE, LLANGUNNOR, CARMARTHEN, SA31 2NT
Agent	HAROLD METCALFE PARTNERSHIP, 32 SPILMAN STREET, CARMARTHEN, CARMS, SA31 1LQ
Case Officer	Stephen Thomas
Ward	Trelech
Date of validation	17/05/2018

CONSULTATIONS

Head of Transport - Recommendation that any permission that the Local Planning Authority may grant will be subject to the imposition of two conditions on the specification of the parking facilities and footway provision.

Meidrim Community Council – No observations received to date.

Local Member – County Councillor Mrs J Lewis as a member of the Planning Committee has not made any prior comments on this application.

Neighbours/Public - The application has been publicised by the sending of eight letters of notification to the occupiers of neighbouring properties. Five letters of representation have been received objecting to/ concerned with the proposed development on the following grounds:-

- The planning application only specifies a 'dwelling' which is hiding the fact that the plan is for a house. The plots are only supposed to have bungalows on them. Object to a house;
- The heights given for the eaves and ridge in relation to the submitted plan area equate to a construction of a house i.e. 6m eaves 8.5m ridge. If it was for a bungalow the eaves height would be approximately 2.4 metres;
- The original development for this site i.e. Plots 1 to 4 were restricted to bungalows;
- The previous approved plan for plot 4 was for a bungalow;
- The details on the application are vague, providing very little information;

- Since the approval of the bungalow there have been applications for a house, all having been refused or withdrawn;
- This plot has no access since the road to it is closed for health and safety reasons. The road is also un-adopted and should only serve 7 dwellings, whereas there are already 9 dwellings served by this closed access road.

RELEVANT PLANNING HISTORY

The following relevant planning applications have previously been submitted on the application site:-

W/30709	Two dwellings Withdrawn	24 April 2018
W/18446	Access road to proposed plots and proposed plot layouts Reserved Matters granted	3 June 2008
W/17565	Construction of house Full planning permission	24 April 2008
W/16074	Access road to proposed plots and proposed plot layouts Reserved Matters refused	4 January 2008
D4/8641	Erection of bungalow Approval of details	17 June 1981
D4/7646	Siting of residential development Outline planning permission	5 February 1981

APPRAISAL

This planning permission is dependent upon the developer, prior to the commencement of development, entering into a Section 106 Agreement with Carmarthenshire County Council, in respect of the payment of a contribution towards Affordable Dwelling provision.

THE SITE

The application site is located in the eastern periphery of Meidrim village with access off a minor road leading from the centre of Meidrim to Glandwr. The access to the site is via a steep estate road with pavements, which is currently used for nine residential properties in this small housing estate. The application site measures approximately 23 metres in width, with the maximum length of the southern boundary at 37 metres and the length of the northern boundary at 42 metres. Due to the rising slope from north to south, the immediate area is characterised by properties being cut into the land or which use the existing form of the land to shape split level style dwellings. The most recent dwellings constructed beyond the application site have been constructed on land that has a more level profile than the application site.

THE PROPOSAL

The application as submitted seeks outline planning permission for a development of a single dwelling on the application site. Details have been provided and detailed approval is sought for the access to the development, with all further detailed matters on external appearance, layout, scale and landscaping being reserved for future consideration. An indicative layouts has been submitted as part of the application for illustrative purposes only, as well as scale parameters of the proposed dwelling as:

Length – 18 – 20 metres

Width – 9 – 10.5 metres

Height to eaves – 5.5 – 5.9 metres

Height to ridge – 7.5 – 8.5 metres

The application is accompanied by a signed Unilateral Undertaking in respect of the payment of a financial contribution towards affordable dwelling provision and an appropriate Certificate of Title.

PLANNING POLICY

In terms of the application's policy context, reference is made to the following existing development plan policies:-

Carmarthenshire Local Development Plan (CDLP)

The application site is located within the development limits of Meidrim as delineated by Inset map CL11 as well as the site forming part of a larger allocation for residential development within the Plan. The allocated number of swellings in the Plan is for 12 Units.

Policy H1 ensures the provision of an adequate supply of land and this is an allocated site within the Local Development Plan (CL11).

Policy GP1 is a general policy that 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.

THIRD PARTY REPRESENTATIONS

The application has attracted letters of objection/concern and the main material considerations are summarised as follows:-

Scale Parameters

The application that has been submitted and is for consideration in this report is an outline application. The representations received indicate that the details submitted with the application are rather vague and providing very little information. The application form as submitted has reserved detailed matters of external appearance, layout, scale and landscaping for future consideration should outline planning permission be granted. According to regulations, applications for outline planning permission require:

- Where layout is a reserved matter, the application must state the approximate location of buildings, routes and open spaces included in the development proposed.
- Where scale is a reserved matter, the application must state the upper and lower limit for the height, width and length of each building included in the development proposed.
- Where access is a reserved matter, the application must state the area where access points to the development proposed will be situated.

In terms of layout, the application has been accompanied with a block plan to a scale of 1:500 showing the location of the proposed building and access route to it.

In terms of access, this has not been reserved for future consideration, and is for consideration in this application and a proposed access has been identified on the submitted 1:500 scale block plan.

Since scale is a matter that has been reserved for future consideration, the application has been submitted with scale parameters of a length of 18 to 20 metres, a width of 9 to 10.5 metres, a height to eaves of 5.5 to 5.9 metres and a ridge height of 7.5 to 8.5 metres.

In the determination of applications for outline planning permission, it is the principle of planning permission that is being considered whereby detailed matters are usually considered in a future detailed submission that would need to conform to any conditions that are imposed on the outline planning permission. Since sufficient information has been submitted with the application it is considered that the application can be determined accordingly.

House -v- Bungalow

The representations make reference to the fact that the original proposal for this part of the estate was for bungalows and that if the proposal is for a house that it is not acceptable as previous applications for houses have been refused or withdrawn. The objectors indicate that the scale parameters given in the application would suggest that the proposed dwelling is for a house rather than a bungalow.

The planning history for this site shows a number of applications with the latest planning application submitted under application number W/30709 for two dwellings. That application was withdrawn. However, an earlier application for full planning permission for this site was submitted under application number W/17565 for the construction of a house. This application was granted full planning permission on 24th April 2008. The approved plans for that application have been examined and show a split level dwelling that has two floors and have height measurements of between 3.9 metres and 5 metres to eaves and between 7.5 metres and 8.5 metres to ridge. The overall ridge height measurements are identical to those included in the parameters for the current application, whilst the eaves measurements are lower than those included within the parameters. Since the overall height of the building compares well with a dwelling already granted on this site it is considered that the effect of a building as proposed will not have a greater impact and should be granted, especially when the overall design of the dwelling will be considered in a further submission.

Drainage

This is a matter that has been raised by the objectors in so far as there is concern that the proposed development will change the natural drainage of the site which may result in affecting neighbouring properties. The application was supported by a drainage report that indicated that the site was not suitable for a sustainable drainage scheme, therefore it has to be drained to the nearest watercourse, but will need to be attained and discharge at no greater than Greenfield runoff. No further detail can be submitted until the reserved matters stage, if outline planning permission is granted.

Access Road Closure and Unadopted

One representation raises this issue as an objection in that the estate road is apparently closed due for health and safety reasons. The objector does not go into any details as to the reasons for this, and furthermore, it appears that there is no physical barriers to prevent access to the proposed site. The existing occupiers of the other eight dwellings on this estate are able to physically access their properties via the estate road and there does not appear to be any planning reasons that the current proposed dwelling can be accessed in the same way. The Authority is aware that there has been an alleged dispute on this site between various parties, however, that is a matter that the Council cannot become involved. Furthermore, when determining a planning application the Council as Local Planning Authority cannot consider the fact that the estate road is un-adopted as that is determined by other legislation.

CONCLUSION

Clearly the site is within the recognised settlement limits of Meidrim and forms part of a housing allocation as defined in the adopted Carmarthenshire Local Development Plan. The scale parameters of the proposed dwelling is considered reasonable especially when looking at previous decisions on this plot, and therefore is acceptable within the context of the provisions of Policy GP1 of the Carmarthenshire Local Development Plan.

Therefore, whilst there are some local concerns regarding the proposals, it is considered as compatible and meets the main policy criteria from the adopted Carmarthenshire Local Development Plan. It generally provides a sustainable residential opportunity for Meidrim. As such the application is put forward with a recommendation for outline approval subject to the imposition of the following appropriate conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The permission now granted is outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 2 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
 - (a) the expiration of five years from the date of this outline planning permission.

- (b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 3 The permission now granted relates to the land defined by the 1:1250 & 1:500 scale Location and Block Plan, drawing number C/4399/1, received on 26th April 2018.
 - 4 Development shall not commence until detailed plans of the layout, appearance, scale and landscaping have been submitted, and received the written approval of the Local Planning Authority.
 - 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for the entire site which shall include details of the retention of existing trees and hedgerows, a full survey of all existing trees and hedgerows on the land, together with measures for their protection to BS5837 standard during the course of the development, and thereafter shall be retained in perpetuity.
 - 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of the development and any trees or plants which within a period of 5 years from the commencement 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, unless the Local Planning Authority gives written consent to any variations and thereafter shall be retained in perpetuity.
 - 7 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.
 - 8 Prior to the commencement of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the entire site frontage with the Estate Road. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.
 - 9 The reserved matters to be the subject of approval under condition no. 4 above shall include full details of the existing and proposed levels of the whole site, including cross-sections through the site.
 - 10 The reserved matters to be the subject of approval under condition no. 4 above shall include the design, height and materials of construction of all boundary and forecourt wall and fences. Thereafter the development shall be carried out in accordance with the approved details.

REASONS

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

- 4-6 In the interest of visual amenities.
- 7+8 In the interests of highway safety.
- 9 In the interest of clarity as to the relationship of the development to the site.
- 10 In the interest of visual amenity.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposal complies with Policies H1 and GP1 of the adopted Carmarthenshire Local Development Plan (CLDP) (adopted December 2014) in that the application site is located within the defined development limits for Meidrim and is within an area that is allocated for residential development. The scale parameters suggest a building that will be compatible with the surrounding development.

NOTES

- 1 The applicant is advised that this planning permission is subject to the applicant/developer first entering into a Section 106 Agreement/Unilateral Undertaking for the provision of a financial contribution towards affordable housing.
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

- 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).

- 4 The developer's attention is particularly drawn to the advice given in the County's Head of Highways and Transport's response in relation to surface water disposal, adoption and parking standards.

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/36131
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Application Type	Full Planning
Proposal & Location	PROPOSED PARTIAL CHANGE OF USE OF SMALL AREA WITHIN TIMBER FRAME FACTORY / WORKSHOP FOR USE AS A FITNESS GYM & SPINNING SPACE (TO LET). CHANGE OF USE OF PART OF ADJACENT FIELD AS DEDICATED PARKING AREA FOR THE PROPOSED GYM AND SPIN USE AT WORKSHOP, BWLCH Y DOMEN ISAF, PANT Y BWLCH, NEWCASTLE EMLYN, SA38 9JF

Applicant(s)	CARTREFFOSARON HOMES LTD, BWLCH Y DOMEN ISAF, PANTYBWLCH, NEWCASTLE EMLYN, SA38 9JF
Agent	CASTLE ARCH DESIGNS LTD - MR MATT EDWARDS, BANK HOUSE, 9 BRIDGE STREET, NEWCASTLE EMLYN, CARMS, SA38 9DX
Case Officer	David Roberts
Ward	Llangelor
Date of validation	18/09/2017

CONSULTATIONS

Head of Highways & Transport – Recommending refusal on the grounds that the proposal is contrary to Policy TR2 of the Local Development Plan.

Head of Public Health and Public Protection – Recommends that conditions be included on any planning permission granted controlling the operating hours and noise emanating from the premises .

Llangelor Community Council – Has requested that Planning Committee visit the site to consider the issues.

Local Member - County Councillor Ken Howell has requested that because of potential concerns regarding noise pollution and the effect on neighbouring properties the application should be determined by Planning Committee.

Land Drainage – Has requested additional information on the proposed car park including design and drainage details.

Public Rights Of Way- Advises applicant to contact the Countryside Section if the adjacent Public Right of way is to be impacted upon during development.

Dyfed Archaeological Trust- Has recommended that the application be referred to CADW and conditions included in any planning permission granted.

CADW – Considers that the proposed car park would have an adverse impact on the setting of the ancient monument and has suggested that the car park should either be relocated to the rear of the industrial unit or a comprehensive landscaping scheme introduced to screen the car park.

Neighbours/ Public – Four neighbouring properties have been consulted by letter on the application and site notices were also erected, to date one letter of objection has been received objecting to the proposal. The representation has raised objections on the following grounds:-

- the proposed car park would be located in open countryside and would create an eyesore;
- loss of agricultural land;
- highway safety concerns due to increased traffic, vehicular conflicts, traffic congestion and the inadequate single track private access road to accommodate the proposed development;
- loss of privacy;
- security concerns;
- additional noise pollution;
- additional light pollution;
- adverse effect on livestock(especially at lambing time);
- the proposed car park will cause surface water runoff into the adjacent small holding;
- the proposed gym would be located in an unsustainable location unrelated to any settlement and does not meet the requirements for pedestrians;
- the proposal is contrary to the key aims of LDP Policy TR2;
- the proposal is contrary to Paragraph 3.18 of Planning Policy Wales Technical Advice Note No 16 Sport, Recreation and Open Space.

RELEVANT PLANNING HISTORY

The following relevant planning applications have previously been submitted on the application site:-

W/34982	Proposed partial change of use of small area within timber frame factory workshop for use as a fitness gym and spinning area Refused	26 July 2017
W/34981	Proposed partial change of use of timber frame factory workshop into 5 separate storage units Refused	26 July 2017
W/08628	Change of use of redundant agricultural building and ancillary areas to light industrial use including engineering works to form new access road Full Planning permission	25 May 2005

APPRAISAL

THE SITE

The application site comprises of a portal framed building and adjoining agricultural land to the north of the industrial building, the building is currently used as a factory/workshop for light industrial purposes in the manufacture of timber framed buildings and is situated in open countryside north of the B4333 at Bwlch Y Ddommen, a small grouping of rural buildings and dwellings between Hermon and Newcastle Emlyn.

The building which is subject of this application is located some 50 metres east of a scheduled ancient monument Tomen Castle Mound. The monument comprises the well preserved remains of a motte and bailey castle.

The site is accessed via a single track private road off the B4333 just off the junction with an unclassified county road.

THE PROPOSAL

The application seeks full planning permission for a change of use of part of the building for a gym and an associated car parking area for customers. The application is a resubmission of a proposal that was previously refused planning permission, the current scheme under consideration has been amended and the proposed car parking area has been moved away from the rear of the building adjacent to residential properties to the side of the industrial unit in response to amenity objections previously raised by local residents in regard to the first application that was refused planning permission in July 2017.

The proposals seeks to convert part of the building for use as a fitness gym and spinning space and will occupy the north eastern section of the building and will cover an area of 158 square metres and include 2 separate gym and spinning areas, toilet and shower facilities and boiler room, the gym will have its own independent point of access for customers/trainers and a new door will be inserted in the northern side elevation of the building adjacent to the new proposed gym car park. Two double glazed patio doors are also proposed in the rear elevation of the building overlooking the existing rear car park and storage area to allow natural sunlight into each of the two fitness use spaces. It is indicated on the proposed plans that these sets of doors will be closed when the gym is in use and their function are solely for bringing in natural light to the gym areas and as an emergency means of escape. In regard to hours of opening, the gym would be open from 6.00am to 9.00pm weekdays and from 6.00am to 4.00pm on Saturdays, closed Sunday and bank holidays. The permitted hours of operation for the existing workshop are 7.00am to 7.00pm weekdays and 7.00am to 1.00pm Saturdays and at no time on Sunday and public holidays.

In relation to parking provision, the new car park for the gym to will be able to accommodate 35 vehicles and will cover an area of 1500 square metres, parking provision for the existing industrial unit will be separate from the proposed gym car park and will remain at the rear of the existing industrial unit where up to 35 vehicles can be accommodated. To prohibit gym customers from entering/turning and parking at the rear of the site and disturbing neighbouring residents it is indicated on the plans that a large security gate will be erected

and only vehicles associated with the timber frame business will be allowed access beyond this point.

The intended operator of the gym currently runs his business from the Jubilee Centre, Station Road, Newcastle Emlyn and offers formal activity based Spin/Palates/calisthenics classes as well as informal drop in sessions for his customers/clients and has a client base of around 214 customers who reside in the local area in and around Newcastle Emlyn. Class sizes are usually around 20 attendees.

The gym operator is looking to relocate from his current premises as there is no secure long term tenancy agreement in place, has limited internal floor space to allow for business expansion and there is no dedicated parking facilities for customers resulting in customers parking their vehicles along the local highway network causing traffic congestion and parking problems for vehicles using Station Road.

The gym operator has been actively searching for alternative premises in and around the Newcastle Emlyn for the last four years and has investigated 10 premises but has found that these prospective premises have either been too small, too costly to adapt or the rents/rates have been excessive making his business unviable.

PLANNING POLICY

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

The application site lies within open countryside and is situated approximately 3 miles in distance from Newcastle Emlyn and the following policies are of key relevance to the proposal:-

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

Policy EMP3 Employment- Extensions and Intensifications seeks to facilitate the extension, expansion and intensification of existing enterprises provided there are no adverse effects on the environment or prejudice other redevelopment proposals and would not create adverse amenity issues for neighbouring uses and is of an appropriate scale and use that is compatible with its location.

Policy GP1 Sustainability and High Quality Design is an overarching policy that seeks to achieve sustainable and high quality developments throughout the County that respect the existing character and appearance of the area in terms of siting, appearance, scale, height, massing, detailing, landscaping, materials and the amenity of local residents.

Policy TR2 Location of Development- Transport Considerations relates to proposals which have the potential for significant trip generation and seeks to ensure that such proposals are located in a manner consistent with the local development plan's strategic objectives and settlement framework and is accessible to non-car modes of transport.

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

Policy SP13 Protection and Enhancement of the Built and Historic Environment states that development proposals should preserve or enhance the built and historic environment of the County.

Policy SP14 Protection and Enhancement of the Natural Environment states that development should reflect the need to protect and wherever possible enhance the County's natural environment

THIRD PARTY REPRESENTATIONS

One letter of objection has been received objecting to the proposed development on a number of grounds. The objector contends that the proposed new car park would lead to loss of agricultural land and would be a visual eyesore and constitute new development in the open countryside, this is noted but views of the new car park from neighbouring residential properties would be screened by the existing workshop and existing hedgerows from the adjacent residential properties. The new car park could be viewed from the Scheduled Ancient Monument. Cadw have also expressed concern that the new car park would have an adverse impact on the setting of the ancient monument, in that the use of the field as a car park would be clearly visible from the ancient monument. Parked cars can be very noticeable in the countryside due to their varying colours and is increased by movement. The view from the monument will only be slightly screened by the existing post and rail fence and therefore the monument will appear to be more enclosed by modern features than at present; however a comprehensive landscaping/hedge/tree planting scheme along the fence-line of the southern boundary of the proposed gym car park would screen this visual impact.

It is considered that the land proposed for the car park is not high quality agricultural land and is classified as moderate quality.

The objector has also raised highway safety concerns contending that the increased number of vehicles would lead to vehicular conflicts and the private road to the building is a single track lane that is inadequate to cater for the development. In response The Head of Highways and Transport has been consulted and has raised no adverse comments in regard to highway safety.

Objections have also been made on residential amenity grounds in that the proposal would lead to loss of privacy, increased noise and disturbance from the increased numbers of cars visiting the premises and sounds emanating from the gym and light pollution from car headlights visiting the gym in hours of darkness and increased security concerns.

With the relocation of the gym car park away from adjacent garden curtilages at the rear of the building, there would be no issues of overlooking into garden areas by gym customers as the car park would be located 73 metres away from the closest residential curtilage. The entrance to the gym would also not be visible from neighbouring residential properties.

In relation to increased noise and disturbance the Public Protection Division have raised no adverse comments in regard to noise but have recommended that a number of noise related planning conditions be included in any planning permission granted including restricting the hours of opening and controlling the possible noise levels emanating from the premises.

In relation to increased light pollution, it is considered that the existing building will screen the impact of light emanating from car head lights of gym customers also the introduction of a solid gate at the access point to the rear of the workshop would further reduce the impact of car headlights on neighbouring residential properties.

In relation to increased security concerns, it is considered that the introduction of a secure gate to prohibit access to the rear of the workshop will improve security for both the existing workshop and adjoining residents.

The objector also claims that the proposal would have an adverse impact on their livestock especially during the lambing season however this is not considered to be material land use planning consideration.

It is also contended that the proposed car park will cause surface water runoff into the adjacent small holding, no adverse comments have been received from The council's Land Drainage Team but have requested that surface water drainage details for the car park be submitted for assessment, this information was requested from the agent but has yet to be provided.

The objector also considers that the proposal is contrary to local development plan and national planning policy guidance in that the proposal would be located in the open countryside, in an unsustainable location and is inaccessible to non- car modes of transport and these points are noted.

The Head of Highways and Transport has recommended that the application be refused on the grounds that The proposal is contrary to the key aims of LDP policy TR2, which seeks to reduce the reliance on the car and deliver a more sustainable pattern of development, and to locate major travel intensive proposals such as housing, employment retailing and leisure within the County's urban centres or other locations which are well served by public transport, cycling and walking, in order to reduce the need to travel and provide a choice and variety of transport modes.

Paragraph 3.18 in Planning Policy Wales Technical Advice Note 16 Sport, Recreation and Open Space states:-

"In rural areas, facilities should be located in or adjacent to settlements. Any proposed developments in the open countryside would require special justification. Appropriate proposals linked to farm diversification may be given favourable consideration."

CONCLUSION

After careful consideration, it is considered that the potential adverse impacts of the proposal on the residential amenity of nearby properties and the setting of the nearby ancient monument could be mitigated by the imposition of appropriate conditions and the submission of a comprehensive landscaping scheme to screen the proposed car park from the ancient monument and adjoining properties; however there are still fundamental planning policy objections as the proposed site is located in open countryside unrelated to

any settlement and it is therefore recommended that planning permission be refused for the following reasons.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy “GP1 Sustainability and High Quality Design” of the Carmarthenshire Local Development Plan, which states:-

Policy GP1 Sustainability and High Quality Design

Development proposals will be permitted where they accord with the following:

- a) **It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;**
- b) **It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) **Utilises materials appropriate to the area within which it is located;**
- d) **It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;**
- e) **Includes an integrated mixture of uses appropriate to the scale of the development;**
- f) **It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;**
- g) **It achieves and creates attractive, safe places and public spaces, which ensures security through the ‘designing-out-crime’ principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);**
- h) **An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;**
- i) **It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;**
- j) **It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;**
- k) **It has regard to the generation, treatment and disposal of waste.**

- l) It has regard for the safe, effective and efficient use of the transportation network;
- m) It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design (2014)).

In that the proposed location is situated in open countryside, in an unsustainable location unrelated to any settlement and does not meet the requirements of pedestrians, cyclists and public transport users and does not facilitate ease of access for all.

- 2 The proposal is contrary to Policy SP1 “Sustainable Places and Spaces” of the Carmarthenshire Local Development Plan, which states:-

Policy SP1 Sustainable Places and Spaces

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a) Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;
- b) Promoting, where appropriate, the efficient use of land including previously developed sites;
- c) Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;
- d) Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;
- e) Creating safe, attractive and accessible environments which contribute to people’s health and wellbeing and adhere to urban design best practice;
- f) Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;
- g) Utilising sustainable construction methods where feasible;
- h) Improving social and economic wellbeing;

- i) **Protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.**

In that the proposed location is situated in open countryside, in an unsustainable location unrelated to any settlement and does not meet the requirements of pedestrians, cyclists and public transport users and does not facilitate ease of access for all.

- 3 The proposal is contrary to Policy EMP3 "Employment – Extensions and Intensification" of the Carmarthenshire Local Development Plan which states:-

Policy EMP3 Employment – Extensions and Intensification

Proposals for extensions and/or intensification of existing employment enterprises will be permitted provided that:

- a) **The development proposals are not likely to cause environmental damage or prejudice other redevelopment proposals;**
- b) **The proposal does not extend and/or intensify a use or activity that might result in adverse amenity issues, or may not be compatible, with neighbouring uses;**
- c) **The development proposals are of an appropriate scale and form compatible with its location;**

Proposals for the expansion of existing rural enterprises will be supported subject to the above provisions and the policies and proposals of this Plan.

In that the proposed location is situated in open countryside, in an unsustainable location unrelated to any settlement and does not meet the requirements of pedestrians, cyclists and public transport users and does not facilitate ease of access for all.

- 4 The proposal is contrary to Policy TR2 "Location of Development – Transport Considerations" of the Carmarthenshire Local Development Plan which states:

Policy TR2 Location of Development – Transport Considerations

Proposals which have a potential for significant trip generation will be permitted where:

- a) **It is located in a manner consistent with the plans strategic objectives, its settlement framework and its policies and proposals;**
- b) **It is accessible to non car modes of transport including public transport, cycling and walking;**
- c) **Provision is made for the non-car modes of transport and for those with mobility difficulties in the design of the proposal and the provision of on site facilities;**

d) Travel Plans have been considered and where appropriate incorporated.

In that the proposal is contrary to the key aims of LDP Policy TR2, which seeks to reduce the reliance on the car and deliver a more sustainable pattern of development, and to locate major travel intensive proposals such as housing, employment retailing and leisure within the County's urban centres or other locations which are well served by public transport, cycling and walking, in order to reduce the need to travel and provide a choice and variety of transport modes.

- 5 The proposal is contrary to the advice contained in Paragraph 3.18 in Planning Policy Wales Technical Advice Note 16 - Sport, Recreation and Open Space which states:-

3.18 In rural areas, facilities should be located in or adjacent to settlements. Any proposed developments in the open countryside would require special justification. Appropriate proposals linked to farm diversification may be given favourable consideration.

In that the proposed location is situated in open countryside, in an unsustainable location unrelated to any settlement and does not meet the requirements of pedestrians, cyclists and public transport users and does not facilitate ease of access for all.

PWYLLGOR CYNLLUNIO**20 MEDI 2018****YN BRESENNOL:** Y Cyngorydd A. Lenny (Cadeirydd)**Y Cynghorwyr:**

S.M. Allen, J.M. Charles, I.W. Davies, J.A. Davies, P.M. Edwards, W.T. Evans,
 S.J.G. Gilasbey, J.K. Howell, J.D. James, C. Jones, D. Jones, H.I. Jones, M.J.A. Lewis,
 K. Lloyd, K. Madge, B.D.J. Phillips, J.G. Prosser, G.B. Thomas a J.E. Williams

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

J. Edwards, Rheolwr Datblygu & Treftadaeth Adeiledig;
 G. Noakes, Uwch Swyddog Rheoli Datblygu (y Dwyrain);
 J. Thomas, Uwch Swyddog Rheoli Datblygu (y De);
 K. James, Peiriannydd Cynorthwyol (Cydgysylltu Cynllunio);
 J. Owen, Swyddog Gwasanaethau Democrataidd.

Y Siambr, Neuadd y Sir, Caerfyrddin – 10:00am - 11:55am**1. YMDDIHEURIADAU AM ABSENOLDEB**

Ni chafwyd ymddiheuriadau am absenoldeb.

2. DATGAN BUDDIANNAU PERSONOL

Y cyngorydd	Rhif y Cofnod	Y Math o Fuddiant
J. Davies	3.1 - Cais Cynllunio E37648 Adeiladu mynediad gât i'r safle o'r enw Penygroes Concrete Works yn ogystal â gwneud gwaith draenio cysylltiedig, y ceir mynediad iddo o'r ffordd gyswllt economaidd (wrthi'n cael ei hadeiladu) a hefyd adeiladu mynediad amaethyddol newydd o'r ffordd gyswllt economaidd yn Penygroes Concrete, Heol Norton, Pen-y-groes, Llanelli, SA14 7RU	Yn adnabod perchennog y gwaith concriid.

3. RHANBARTH Y DWYRAIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

3.1 PENDERFYNWDYD YN UNFRYDOL i ganiatáu'r cais cynllunio canlynol yn unol â'r amodau y manylwyd arnynt yn Adroddiad y Pennaeth Cynllunio a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod;

E/37648	<p>Adeiladu mynediad gât i'r safle o'r enw Penygroes Concrete Works yn ogystal â gwneud gwaith draenio cysylltiedig, y ceir mynediad iddo o'r ffordd gyswllt economaidd (wrthi'n cael ei hadeiladu) a hefyd adeiladu mynediad amaethyddol newydd o'r ffordd gyswllt economaidd yn Penygroes Concrete, Heol Norton, Pen-y-groes, Llanelli, SA14 7RU</p> <p>[Sylwer: Gan ei fod wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd y Cynghorydd J. Davies Siambr y Cyngor cyn i'r Pwyllgor ystyried y mater a phenderfynu arno.]</p> <p>Dywedodd yr Uwch-swyddog Rheoli Datblygu [De] wrth y Pwyllgor, ers cyhoeddi'r agenda a'r atodiad, fod y Pennaeth Trafnidiaeth wedi nodi nad oedd ganddo unrhyw wrthwynebiadau i'r cais yn amodol ar yr amodau a argymhellir yn yr adroddiad.</p>
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4. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

4.1 PENDERFYNWDYD YN UNFRYDOL ganiatáu'r cais cynllunio canlynol yn amodol ar yr amodau yn Adroddiad/Atodiad y Pennaeth Cynllunio a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod;

W/18258	<p>17 o anheddau, cynllun y safle a ffyrdd mynediad ym Maesyderw, Heol Aberteifi, Castellnewydd Emlyn, Sir Gaerfyrddin SA38 9RD</p> <p>[Cymeradwywyd y cais yn amodol ar yr ymgeisydd yn ymrwymo i Gytundeb Adran 106 sy'n ymwneud â darparu cyfran o dai fforddiadwy neu gael cadarnhad gan Bennaeth Eiddo Corfforaethol y Cyngor o ran cytuno â'r casgliadau yn yr asesiad hyfywedd a gyflwynwyd, yn unol â'r hyn a argymhellwyd yn yr adroddiad.]</p>
W/37415	<p>Bwriad i ddymchwel yr amgueddfa cyflymder bresennol ynghyd ag adeilad preswyl a bloc amwynderau i hwyluso'r gwaith o adeiladu amgueddfa newydd traeth y gwibwyr ynghyd ag eco-hostel â 42 o welyau, caffi, lle parcio i gerbydau, a gwaith cysylltiedig o ran tirweddu a seilwaith yn Amgueddfa Cyflymder Pentywyn, Marsh Road, Pentywyn, Caerfyrddin, SA33 4NY</p>

4.2 PENDERFYNWYD bod y Pwyllgor yn cymeradwyo'r cais cynllunio canlynol, yn groes i argymhelliad y Pennaeth Cynllunio oherwydd yr amgylchiadau eithriadol dan sylw;

W/37321	<p>Caniatâd cynllunio amlinellol ar gyfer pedair llain a lle parcio cyffredinol ar dir ger Wood End/Dukes Meadow, Pentywyn, Caerfyrddin, SA33 4UG</p> <p>Daeth sylw i law a wrthwynebai'r datblygiad uchod, gan ail-bwysleisio'r pwyntiau y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Cynllunio, gan gynnwys y pwyntiau canlynol:-</p> <ul style="list-style-type: none">• Pryderon ynghylch problemau hirdymor â'r system garthffosiaeth annigonol bresennol• Pryderon ynghylch problemau dŵr wyneb a llifogydd gan gynnwys llifogydd llanw• Mae'r safle o fewn 20m i'r nant• Pryderon ynghylch preifatrwydd, ffenestri ochr yn edrych dros y safle• Cymeriad ac ymddangosiad• Pryderon ynghylch diogelwch priffyrdd gan gynnwys<ul style="list-style-type: none">- Cynnydd yn y traffig- Defnyddiwyd y safle ar gyfer troi lorïau trwm oherwydd pontydd gwan- Parcio <p>Ymatebodd asiant yr ymgeisydd i'r materion a godwyd.</p> <p>Gofynnwyd cwestiynau ynghylch y dŵr wyneb a'r system gwanhad arfaethedig, ac roedd yr Uwch-swyddog Rheoli Datblygu [De] wedi ymateb yn unol â hynny.</p>
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4.3 PENDERFYNWYD YN UNFRYDOL ganiatáu'r cais cynllunio canlynol yn amodol ar yr amodau yn Adroddiad/Atodiad y Pennaeth Cynllunio a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod;

W/37135	<p>Adeiladu Preswylfa Anghenion Arbennig ar y tir yng Nghilhir Isaf, Meidrim, Caerfyrddin, SA33 5PX</p> <p>Rhoddodd yr Uwch-swyddog Rheoli Datblygu [Dwyrain] grynodedb ar lafar i'r Pwyllgor o lythyr a gafwyd gan Gyngor Cymuned Tre-lech a'r Betws a gefnogai'r cais.</p> <p>Cafwyd sylw gan yr aelod lleol ar ran yr ymgeisydd yn cefnogi'r cais, drwy dynnu sylw at y rhesymau o ran pam y mae'r breswylfa anghenion arbennig arfaethedig yn ofynnol er mwyn darparu ar gyfer anghenion ieuchyd arbennig gŵr yr ymgeisydd.</p> <p>Wrth ystyried y cais ac yn sgil anghenion meddygol gŵr yr ymgeisydd, roedd y Pwyllgor o'r farn bod y cais hwn yn un ag amgylchiadau eithriadol, a bernid eu bod yn ystyriaeth berthnasol a oedd, ar yr achlysur penodol hwn, yn drech na'r polisi cynllun datblygu.</p>
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5. LLOFNODI YN COFNOD CYWIR COFNODION Y CYFARFOD A GYNHALIWYD AR 23 AWST 2018

PENDERFYNWYD llofnodi bod cofnodion cyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 23 Awst, 2018 yn gywir.

CADEIRYDD

DYDDIAD

[SYLWER: Mae'r cofnodion hyn yn dilyn trefn y materion oedd ar agenda'r cyfarfod, a allai fod yn wahanol i drefn y materion mewn unrhyw weddarlliediad gan y byddid wedi ymdrin gyntaf ag unrhyw geisiadau yr oedd aelodau o'r cyhoedd yn bresennol i siarad amdanynt.]