

Pecyn Dogfennau



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

DYDD IAU, 6 RHAGFYR 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 1.00 PM, DYDD IAU, 13EG RHAGFYR, 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: | Emma Bryer |
| Ffôn (llinell uniongyrchol): | (01267) 224029 |
| E-bost: | Democraticservices@sirgar.gov.uk |
| Cyf: | AD016-001 |

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 Aelod o Gyngor Tref Caerfyrddin
(Cadeirydd)
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 CHANIMATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGAN BUDDIANNAU PERSONOL.
3. E/34791 - BYDD Y DATBLYGIAD TYRBINAU GWYNT 5 - 20
ARFAETHEDIG YM MRYN BUGAIL YN CYNWYS TYRBIN
GWYNT SENGL, A FYDD YN GALLU CYNHYRCHU HYD AT
100KW GYDA'R TYRBIN YN MESUR 37 METR HYD AT UCHDER
Y BOTH, GYDA DIAMEDR ROTOR O 24 METR, GAN GREU
UCHDER LLAFN CYFFREDINOL O HYD AT 49 METR. BYDDAI'R
TYRBIN GWYNT WEDI'I LEOLI MEWN CAE SYDD AR HYN O
BRYD YN CAEL EI DEFNYDDIO AR GYFER PORI A GALL Y
DEFNYDD HWN BARHAU GYDA'R TYRBIN GWYNT YN
BRESENNOL AR DIR YM MRYN BUGAIL, CAERFYRDDIN, SA32
7JX.
4. W/36131 - NEWID DEFNYDD RHANNOL ARFAETHEDIG I ARDAL 21 - 30
FACH MEWN FFATRI/GWEITHDY FFRÂM BREN I'W DEFNYDDIO
FEL GOFOD CAMPFA FFITRWYDD A CHWILBEDLO (I'W OSOD).
NEWID DEFNYDD RHAN O'R CAE CYFAGOS I FOD YN FAES
PARCIO PWRPASOL AR GYFER Y DEFNYDD CAMPFA A
CHWILBEDLO ARFAETHEDIG YN Y GWEITHDY, BWLCH Y
DOMEN ISAF, PANT Y BWLCH, CASTELLNEWYDD EMLYN,
SA38 9JF.
5. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO 31 - 68
6. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU 69 - 126
CYNLLUNIO
7. LLOFNODI YN COFNOD CYWIR COFNODION Y CYFARFOD A 127 - 130
GYNHALIWYD AR 15FED TACHWEDD 2018.

Mae'r dudalen hon yn wag yn fwriadol

| | |
|-----------------------|----------------|
| 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 subject to the imposition of suitable conditions.

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; Maesy pant, 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 9 November 2016 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, Maesypant, 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

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 Plan
Received 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 any residents residing at any

noise sensitive properties, the rating level of noise immissions from the wind turbine (including the application of any tonal penalty) shall not exceed 35 dBL_{A90, 10 min} as measured 3.5 meters from the façade of any noise sensitive property at any time, up to and including on-site wind speeds of 10 m/s at 10m height.

- 6 To prevent any demonstrable harm to any of the residents residing at any noise sensitive properties, the **cumulative** rating level of noise immission from the wind turbines (including the application of any tonal penalty) shall not exceed 35 dBL_{A90, 10 min} as measured 3.5 meters from the façade of any noise sensitive property at any time, up to and including on-site wind speeds of 10 m/s at 10m height.
- 7 To prevent any demonstrable harm to the amenity of any residents residing at any financially involved properties, the **cumulative** rating level of noise imission from the wind turbine(s) (including the application of any tonal penalty) should not exceed 45dBL_{A90,10min} 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 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 section applies where no tone has been identified at the assessment stage and no penalty applied.
- 9 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise imissions from the wind turbines at a location that has been agreed with the Local Planning Authority following the procedures described in ETSU-R-97 “The Assessment and Rating of Noise from Wind Farms” pages
- 10 During the course of the investigation, should the wind turbine be identified as operating above the parameters specified in Conditions 5-7 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 Condition 5-7
- 11 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.
- 12 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.
- 13 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.
- 14 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.

- 15 The approved integrated landscape and biodiversity enhancement scheme shall be fully implemented within 12 months of the wind turbine becoming operational.
- 16 Any access gates shall be set back a minimum distance of 12.0 metres from the highway boundary, and shall open inwards into the site only.
- 17 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 90 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.
- 18 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 19 The access shall be hard surfaced in a bonded material for a minimum distance of 12.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2&11 In the interest of visual amenity
- 3 To ensure derelict or obsolete structures do not adversely affect the environment.
- 4-10 To prevent noise disturbance and loss of amenity to occupiers of nearby buildings.
- 12-14 In the interest of visual amenity and 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.
- 15-19 In the interest of highway safety.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The 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 landform, 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.

| | |
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| 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) | CARTREFI FFOSARON 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.

*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 13 RHAGFYR 2018
ON 13 DECEMBER 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.

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|-------------------|---------------------------|
| COMMITTEE: | PLANNING COMMITTEE |
| DATE: | 13 DECEMBER 2018 |
| REPORT OF: | HEAD OF PLANNING |

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| REF. | APPLICATIONS RECOMMENDED FOR APPROVAL | PAGE NOS. |
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| S/36465 | The proposal is to provide 34 no. new affordable housing on the existing open ground adjacent to the existing Dylan Housing Estate. Together with associated ecological mitigation works to include a new wetland pond feature. There will be 28 no. two bedroom, four person houses and 6 no. four bedroom, seven person houses at land adjoining Dylan Housing Estate, Llanelli, SA14 9AN | 35 - 53 |
| S/37933 | Single storey rear extension with a balcony to the first floor at 105 Pentre Nicklaus Village, Llanelli, SA15 2DF | 54 - 58 |
| S/37971 | To refurbish, alter and change the use of the existing offices, to provide eight residential flats consisting of a mix of new one bed, two bed and studio, Housing Association apartments at WRW Construction Limited, 3-5 Goring Road, Llanelli, SA15 3HF | 59 - 67 |

APPLICATIONS RECOMMENDED FOR APPROVAL

| | |
|-----------------------|----------------|
| Application No | S/36465 |
|-----------------------|----------------|

| | |
|--------------------------------|--|
| Application Type | Full Planning |
| Proposal & Location | THE PROPOSAL IS TO PROVIDE 34 NO NEW AFFORDABLE HOUSING ON THE EXISTING OPEN GROUND ADJACENT TO THE EXISTING DYLAN HOUSING ESTATE. TOGETHER WITH ASSOCIATED ECOLOGICAL MITIGATION WORKS TO INCLUDE A NEW WETLAND POND FEATURE. THERE WILL BE 28 NO 2 BEDROOM 4 PERSON HOUSES AND 6 NO 4 BEDROOM 7 PERSON HOUSES AT LAND ADJ DYLAN HOUSING ESTATE, LLANELLI, SA14 9AN |

| | |
|---------------------------|--|
| Applicant(s) | CARMARTHENSHIRE COUNTY COUNCIL - JONATHAN MORGAN, EAST GATE, LANDMARK BUILDING, ISLAND PLACE, LLANELLI, SA31 1HQ |
| Agent | CARMARTHENSHIRE COUNTY COUNCIL - HYWEL HARRIES, BLOCK 3, PARC MYRDDIN, RICHMOND TERRACE, CARMARTHEN, SA31 1HQ |
| Case Officer | Paul Roberts |
| Ward | Bynea |
| Date of validation | 20/11/2017 |

CONSULTATIONS

Head of Highways and Transport - Has raised no objection to the application subject to the imposition of suitable conditions on any permission granted.

Head of Waste and Environmental Services (Land Drainage) – Has confirmed his acceptance of the surface water drainage strategy proposed.

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

Llanelli Rural Council – Has objected to the application on the following grounds:-

- Concerns that the development will increase the risk of surface water flooding in the immediate vicinity of the site as well as the wider drainage catchment. The Council suggest that the watercourse into which the surface water is to be discharged is prone to flooding in lower lying areas of Llwynhendy.

- The detrimental impact upon the amenity and privacy of the occupiers of the Bryn Isaf estate to the rear of the site by way of overlooking from first floor windows.
- The proposal will result in increased traffic movements in excess of 140 vehicle movements per day in an area where traffic congestion and parking is an issue.
- The loss of parking provision for the neighbouring playing fields and parking restrictions on the neighbouring estate roads, coupled with the location of the site on a bus route will be detrimental to highway safety.
- Loss of existing play area on the site and no consideration has been given to its relocation as part of the development.

Local Member - County Councillor D Cundy supports the principle of developing affordable housing but has objected to the application and requested that the Planning Committee undertake a site visit to consider the impacts of the development. He raises the following concerns:-

- The original proposal was to allocate the site for bungalows, however a change of the Authority's policy resulted in a proposal for houses instead of bungalows. The proposal has not taken account of the requirements of older tenants residing in Council properties who wish to downsize into bungalows rather than live in larger two storey houses.
- Surface water flooding problems in Dylan, Bryn Isaf and further downstream in Parc Gitto will be exacerbated by the proposal.
- Increased traffic congestion and the impact upon highway safety.
- Concerns regarding the design and location of the proposed dwellings and the overlooking of existing properties. More space needs to be allowed between old and new dwellings and adequate landscaping.
- The additional family housing proposed will result in extra pressure on local services such schools and health facilities.
- The removal of parking for the playing field and the loss of the existing play area.

Cllr Cundy suggests that certain conditions must be addressed as part of the development which include:-

- The provision of a new play area and easy access between Trallwm Hall changing rooms and the playing fields.
- Adequate parking for those visiting the playing field as well as further parking for Trallwm Hall.
- Drainage proposals to improve the drainage problems of neighbouring properties and adequate distance (more than 21 metres) between existing and new properties to reduce overlooking.

- The provision of adequate fencing for the new properties as well as sympathetic soft landscaping for the benefit of existing and proposed developments.
- Adequate education places.
- Dropped kerb provision for the houses of Dylan and Amanwy to ensure that on street parking is avoided.
- A corner shop for the local community.

County Councillor S Davies who is the local member for the neighbouring Llwynhendy ward has reiterated the concerns raised by Cllr Cundy while also referring to the following additional issues of concern:-

- Inadequate sewerage system.
- The need for appropriate infrastructure including pavements, bus stops and transport services.

The Coal Authority – Have confirmed that they are satisfied that the ground investigation survey accompanying the application has demonstrated that the site is safe and stable for the proposed development. They have therefore raised no objection to the application.

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

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

Public Rights of Way – Have raised no objection to the proposed diversion of the footpath crossing the site as part of the development.

Neighbours/Public – The application has been publicised with the posting of a number of site notices within the vicinity of the site and the publication of a notice in the local newspaper. Subsequent amendments to the development as part of the application process and the submission of additional supporting information by the applicant also required further re-consultation exercises whereby further site notices were posted and additional press notices published in the newspaper.

As a result of these publicity exercises, seven third party letters of representation have been received from neighbouring residents who object to the application. The objections are summarised below:-

- The development will exacerbate existing drainage problems in the gardens of the neighbouring properties of Bryn Isaf.
- The need to control Japanese Knotweed within the site and to avoid it spreading to neighbouring land and properties.
- Loss of privacy and light to neighbouring properties which are set at a lower level than the proposed development.

- Loss of the existing park.
- Increased traffic generation and existing, on street parking problems.
- Lack of pre-application consultation.
- Impact upon local schools and doctors surgery.
- Sewerage capacity problems and the pollution impact upon the Loughor estuary.
- Devaluation of property prices.
- Lack of parking for the playing fields.
- The appearance of the development is out of character with the scale of existing developments.
- High density and overdevelopment of the site.
- Loss of wildlife habitats.
- Dust and noise pollution during the development.
- More suitable sites available.

RELEVANT PLANNING HISTORY

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

| | | |
|----------|--|------------------|
| LL/02810 | New changing rooms, services and external works Full planning permission | 9 January 2003 |
| LL/00754 | Portakabin to be used as changing rooms Full planning permission | 15 April 2002 |
| S/01343 | Use as football pitch with associated portacabin style changing rooms Lawful Development Certificate granted | 4 September 1998 |
| D5/16798 | Proposed residential development Outline planning refused | 16 March 1995 |
| D5/6170 | Portable type changing room Full planning permission | 11 March 1982 |
| D5/4553 | Proposed children's playground Full planning permission | 10 January 1980 |

APPRAISAL

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

THE SITE

The application site consists of two separate parcels of land located to the south and east of the Dylan housing estate in Llwynhendy. Both parcels cover a combined area of approximately 1.8 hectares.

The largest parcel is irregular in shape extending to 1.3 hectares in area and is located to the south of the Dylan estate road. It consists of a mix of amenity grassland, scrub and wooded areas, a children's play area and a hard surfaced area. The majority of the land consists of amenity grassland that is used as an informal recreation area. The park occupies a central location within the site being fenced off from the surrounding grassed areas and has a range of children's play equipment. The hardstanding area is located immediately to the east of the park with both being accessed from the estate road via a gravelled track. There is an existing public right of way to the east of the hardstanding that crosses part of the site and provides a link between the Bryn Isaf and Dylan estates. There is no significant change in level across the site.

The southern part of this parcel consists of an area of scrubland and immature trees which extend along the southern boundary of the site. The trees are separated from the gardens of the neighbouring properties of the Bryn Isaf estate to the south by a wooded fence. There is an existing ditch running along the southern boundary of this part of the site. To the west is Trallwm community hall which is separated from the site by metal railings. There is an existing bus stop to the front of the site.

The smaller parcel of the site covers some 0.5 hectares and is located within the large recreational area located to the east of the Dylan estate. It consists of a grassed informal recreation area that adjoins a more formal sports playing field. The land is bounded to the north and east by established trees and hedgerows which provide separation from neighbouring field enclosures. The properties of the Bryn Isaf estate are located to the south of the site while the land has no defined western boundary.

The site is located in a primarily residential area with the neighbouring Dylan and Amanwy estates consisting of former Local Authority semi-detached housing. The newer Bryn Isaf estate to the south is of a similar high density albeit comprising a mix of detached and semi-detached houses.

THE PROPOSAL

The application seeks full planning permission for the construction of 34 dwellings on the larger parcel of land within the site together with associated access, parking, landscaping and drainage works. The scheme will be provided by the County Council and all the houses are to be affordable and of a social rented tenure. They will all be Development Quality Requirements (DQR) compliant which is the Welsh Government's standard that Registered Social Landlords' housing must meet. The proposal also includes ecological mitigation works in the form of a new wetland pond feature on the smaller parcel of the site.

The scheme is to consist of 34 semi-detached houses comprising a mix of 28 no. 2 bedroom units and 6 no. 4 bedroom units. The layout of the development seeks to maximise the development potential of the site while having regard to the character of the surrounding area and amenity of the occupiers of existing neighbouring properties. Vehicular access is to be achieved via a new junction with the Dylan estate road. The new estate road will extend

in a southerly direction from the junction before traversing the site in an east west direction. It is to be constructed to an adoptable standard with a 5.5 metre carriageway and flanking footways.

The new houses are primarily arranged around and orientated towards the estate road while the scheme also has a strong frontage onto the existing Dylan estate road in order to create interest and reinforce the existing street scene. Pedestrian facilities are provided throughout the development while the existing public right of way crossing the eastern part of the site is to be retained, albeit on a diverted route that will follow the internal footways and a new pedestrian link to the existing estate road. Provision is made for a direct pedestrian link from the neighbouring community hall through the development to the playing field to the east.

The houses will have traditional saddle roof designs and elevations consisting of a mix of facing brick and render to complement the surrounding housing estates while at the same time creating visual interest and variation in the street scene. The latter will be reinforced by the staggered arrangement of the houses. The southerly facing roofs of the houses are to have solar PV panels to be provide a renewable and sustainable source of energy to the occupants.

Parking within the scheme is provided via a mix of front and side driveways with the two bedroom houses having two parking spaces while the larger 4 bedroom units will all have three spaces. Additional parking facilities are provided for visitors within the development while further provision is made in the eastern part of the site for both visitors and those visiting the nearby playing fields. The proposed finished levels of the development are to be comparable with the existing levels of the site.

Private garden areas are provided to the rear and side of the houses and will be enclosed by a mix of boundary treatments that will include face brick walling and timber fencing. The application has been accompanied by landscaping details which provides for the retention of the existing trees along the site's southern perimeter as well as the implementation of new grassed areas within the site. The existing grassed area in the eastern part of the site is to be retained as an area of open space.

Following discussions with officers including the Authority's Ecologist, the scheme will include the provision of a new wetland pond feature on the smaller parcel of land to the east of the playing field to mitigate for the loss of habitat in the existing ditch on the southern boundary of the main part of the site. The ditch is to be filled in as part of the development and drained with a new piped connection to a drainage ditch in the south eastern corner of the site. The pond will have a gentle gradient and be enclosed with low earthwork bunds and stock fencing while the surrounding grassed area will be separated from the playing field by a new native species hedge and be managed to enhance the biodiversity of the grassland.

The application has been accompanied by a range of supporting information which include the following:

- Drainage Strategy for foul and surface water;
- Design and Access Statement;
- Ground Investigation and Preliminary Risk Assessment Report;
- Pre-application Consultation Report; and
- Ecological Assessment.

The drainage strategy sets out a strategy to dispose of surface water run-off from the development to the existing drainage ditch in the south eastern corner of the site via an attenuated system. Surface water will be disposed of via a piped system within the development that will discharge into a geocellular storage tank system beneath the estate road that will attenuate the flows to a maximum discharge rate of 2.35 litres per second into the drainage ditch. As mentioned above, the ditch along the southern boundary of the site is to be filled in as part of the development and a piped drain provided therein to drain any run off to the existing drainage ditch in the south eastern corner of the site.

Foul water from the development will discharge to an existing public sewer that traverses the eastern part of the site in a north south direction. The application is also accompanied by a scheme of surface water removal from the combined public sewer that will provide betterment to the network by removing a volume of surface water from the system greater than that generated by the development itself. The scheme centres around a sports pavilion and adjacent car park located off Bryndulais Avenue in Llanelli which are in the Council's control. Surface water run-off from the roof of the pavilion and part of the car park, which cover a combined impermeable area of 1078 square metres, will be diverted from the public sewer and discharge directly to the adjacent River Lliedi via a new outfall headwall.

The scheme is in compliance with the requirements and objectives of the Memorandum of Understanding (MOU) which sets out the partnership approach between Carmarthenshire County Council, the City and County of Swansea, Natural Resources Wales and Welsh Water to improve and safeguard the environmental quality of the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet and, Burry Inlet Special Protected Area (SPA) and Burry Inlet Ramsar, collectively known as the Carmarthen Bay and Estuaries European Marine Site (CBEEMS).

The preliminary ecological assessment confirms that the amenity grassland within the site has low biodiversity value while the area of scrub is also of low ecological value. It therefore concludes that the development will have no adverse impact upon ecology. Notwithstanding this, it does identify the presence of Japanese Knotweed in part of the site which will need to be managed and eradicated as part of the development.

The ground investigation assessment confirms that the risk of coal mining related subsidence within the site is negligible whereby it is considered to be safe and stable to develop.

Community Benefits

As mentioned above, all 34 of the units to be provided within the scheme will be affordable and provided by the County Council.

The applicant has agreed to make a financial contribution of £64,560 towards the improvement of education facilities within the local catchment schools of Ysgol Brynteg primary school and Bryngwyn secondary school. The level of contribution was agreed following discussions with officers of the Authority's Education Department and is to be paid prior to the release of the planning permission given that it cannot be secured via a Section 106 agreement in that the County Council are the applicants.

It is of note that whilst the existing park on the site is to be removed as part of the development, the applicant has submitted a separate planning application for the creation of a new replacement park on land located immediately to the east of the proposed new

housing development. Similar to the existing park, the new facility will have equipment for children up to the age of 11 and will be sited adjacent to the existing public right of way thereby allowing easy access for the residents of the wider residential area.

PLANNING POLICY

Local Development Plan (LDP)

In the context of the Authority's current Development Plan the majority of the larger parcel of the application site wherein the houses are to be constructed is located within the development limits of Llanelli and allocated for housing purposes under Policy H1 of the Plan. Housing allocation reference GA2/H57 refers. The allocation is identified as accommodating approximately 25 dwellings under Policy H1, however, this figure is indicative for the purposes of the Plan.

The eastern periphery of this part of the site which includes the area of open space, two of the proposed units and part of the estate road is located outside the development limits in an area identified as public open space under Policy REC3 of the Plan. Similarly, the smaller parcel of the site located the east of the playing field also falls outside the development limit and within the same open space designation.

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

In terms of the Plan's strategic policy context, Policy SP1 promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

Policy SP2 supports proposals which respond to, are resilient to and adapt to minimise for the causes and impacts of climate change. Proposals for development which are located within areas at risk from flooding will be resisted unless they accord with the provisions of TAN15.

Policy SP3 identifies Llanelli as being one of three Growth Areas within the Plan's Settlement Framework for the County which reflects their high population levels and the availability of an extensive range of services and facilities in the strategic context. The settlements are well served by facilities that are vital to support sustainability being on sustainable transport routes and are therefore capable of accommodating a proportionally higher level of growth and development.

Policy SP5 allocates sufficient land for 15,778 new dwellings within the Plan area in accordance with the Settlement Framework with a high proportion (8,333) of these dwellings being directed towards the Growth Areas.

Policy SP9 promotes the provision of an efficient, effective, safe and sustainable integrated transport system.

Policy SP14 requires that development should reflect the need to protect, and wherever possible enhance the County's natural environment in accordance with national guidance and legislation.

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

Policy GP1 is a general policy which, amongst others, promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to have regard to the generation, treatment and disposal of waste.

Policy GP2 permits proposals within defined development limits subject to the policies and proposals of the plan, national policies and other material planning considerations.

Policy GP3 states that the Council will, where necessary seek developers to enter into planning obligations or to contribute via the Community Infrastructure Levy to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments. Allied to this, Policy AH1 states that a contribution towards affordable housing will be required on all housing allocations and windfall sites. It goes on to state that the Council will seek a level of affordable housing of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub market areas. The application site falls within the 20% viability area.

Policy AH2 permits proposals for 100% affordable housing on sites immediately adjacent to the development limits of defined settlements in circumstances where, amongst others, it represents a logical extension to the development limits and is of a scale appropriate to and in keeping with the character of the settlement. The benefits of the affordability of the dwellings must also be retained for subsequent occupants while the size, scale and design of the houses must be compatible with an affordable dwelling.

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

Policy H1 allocates land for residential development for the plan period to 2021.

Policy TR2 requires that developments which have the potential for significant trip generation should be located in a manner consistent with the Plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. Reference is also made to the need to meet required access and parking standards as well as promoting the interests of pedestrians, cyclists and public transport as part of proposals.

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

Policy EP1 permits proposals where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters.

Policy EP2 states that proposals should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate that they satisfactorily address any issues in terms of air quality, water quality, light and noise pollution, and contaminated land.

Policy EP3 requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated. Furthermore, Policy EP6 states that in areas where land instability is known, proposals must be accompanied by a scoping report to ascertain the nature of the instability.

Policy REC2 requires that all new development of five or more units will be required to provide on-site open space in accordance with the Council's adopted standards. Policy REC3 makes provision for new open space proposals within the Plan area.

National Planning Policy

Planning Policy Wales (PPW) (Edition 9, November 2016) provides a national overview of planning policy on a wide range of issues relevant to the proposed development. The Welsh Government supports the vision for good quality, mixed housing accessible to all which conforms to sustainability principles which underpin all planning policy guidance.

The document refers to the Welsh Government's approach, as set out in its National Housing Strategy, to provide more housing of the right type and to offer more choice while ensuring that new housing and residential environments are well designed and make a significant contribution to promoting community regeneration and improving the quality of life. Further emphasis is placed on the requirement to ensure that new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development.

Para 9.1.2 of PPW goes on to highlight that local planning authorities should, amongst others, promote sustainable residential environments that are easily accessible by public transport, walking and cycling, have good access to employment, retail and other services and make the most efficient use of land.

PPW is supplemented by a continually updated series of Technical Advice Notes (TANs). The following TANs are relevant in the consideration of this application:

TAN 2 (Planning and Affordable Housing) provides guidance on the role of the planning system in delivering affordable housing.

TAN 5 (Nature Conservation and Planning) seeks to ensure that protected species, habitats and designated sites are both protected and conserved by the planning system.

TAN 12 (Design) seeks to promote sustainability principles through good design and identifies how local planning authorities can facilitate this process through the planning system.

TAN 15 (Development and Flood Risk) aims to direct new development away from those areas that are at high risk of flooding and defines what is considered to be vulnerable development and provides advice on permissible land uses in relation to the location of the proposed development and the consequences of flooding.

TAN 18 (Transport) endeavours to ensure Wales develops an efficient and sustainable transport system to meet the needs of a modern, prosperous and inclusive society.

TAN 20 (The Welsh Language) provides guidance on how the planning system considers the implications of the Welsh language when LDPs are prepared. In essence, the TAN advises that planning applications should not be subject to Welsh language impact assessment as this would duplicate LDP site selection processes where LDP objectives indicated the need for such an assessment.

THIRD PARTY REPRESENTATIONS

The application has attracted a number of objections from local residents while the local member and community council have also raised concerns regarding the development. The issues raised are addressed in the following appraisal.

The majority of respondents have opined that that the highway network in the surrounding area is inadequate to safely accommodate the additional traffic generated by the development. Many refer to existing on street parking problems in the area while others raise concerns regarding the loss of existing parking for the neighbouring playing field.

The Head of Highways and Transport having carefully assessed the application has raised no objection to the proposal from a highway capacity or safety perspective. He is satisfied that the likely additional traffic can be safely accommodated on the local highway network serving the site and surrounding residential area. Moreover, he's confirmed his acceptance of the development layout proposed and the access thereto while the parking provision within the scheme accords with the Authority's parking standards.

Furthermore, the site is located in a sustainable location with good accessibility to public transport as well as nearby schools and facilities including the neighbouring community hall and recreation facilities. The site is on an existing bus route which provides access to the wider Llanelli area and its associated services, facilities and employment areas. The existing bus stop fronting the site is to be relocated to a different location along the estate road to allow for the development of the site and a condition requiring the submission and approval of details of its proposed location will be imposed on any permission granted in accordance with the Head of Transport's advice.

As to concerns regarding the loss of the parking facilities for the neighbouring playing field, although the hardstanding area within the site is used informally by visitors to the playing field, it is nevertheless not a designated parking facility or identified for the same with the LDP. The layout of the development provides additional car parking spaces to those required by the residents of the new development which include 6 vehicle spaces in the eastern part of the development adjacent to the playing fields. Furthermore, and as requested by Cllr Cundy, the scheme includes a direct pedestrian link between the existing parking and changing room facilities at Trallwm Hall and the playing fields whereby visitors will be able to safely walk the short distance between both facilities through the development. The Head of Transport has raised no concerns regarding development from a loss of parking perspective.

The proposal is therefore considered to be in compliance with Policies SP1, SP3, SP9, GP1, and TR3 of the LDP in terms of its sustainability and highway impacts upon the surrounding area.

A further common ground of objection is the high density of the development which it is suggested will overdevelop the site and be out of character with the scale of existing developments in the area. In addition, Cllr Cundy suggests that the proposal to provide houses in the development does not take into account the requirements of older tenants residing in Council properties who wish to downsize into bungalows.

Turning firstly to the latter issue, the Head of Public Protection and Housing has confirmed that the Bynea ward wherein the site is located is an area of high housing need and the provision of the two and four bedroom properties proposed on a social rented basis will assist in meeting this identified need. Cllr Cundy's comment regarding the need for bungalows in the area is noted, nonetheless, the Local Planning Authority is required to determine the proposal in its current form which is in accordance with the objectives of Policy AH1 and TAN 2 in that it will provide affordable housing to meet an identified housing need in the local area.

With regard to suggestions that the proposal will overdevelop the site, the site is identified as accommodating 25 residential units in the LDP, however, it is important to note that this is a notional figure for the purposes of the Plan. Although the number of dwellings proposed (34) exceed this figure, the resulting density is not considered to be high or at variance with the prevailing pattern of development in the surrounding area which is characterised by high density former local authority housing to the north and west and a newer estate development to the south. The general scale, design and spatial layout of the scheme are considered to be acceptable within the context of its surroundings. The design with its mix of hard and soft landscaping proposals, high quality boundary treatments and the retention of the existing landscaped area to the east of the site will respond well to the site's setting and the neighbouring playing fields. The strong frontage to the Dylan estate road will complement the existing street scene while the permeability of the site in terms of vehicular and pedestrian links and mix of parking solutions will reinforce the attractiveness of the scheme.

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

Members will have noted from the appraisal above that the eastern periphery of the application site is located outside the development limits of Llanelli as defined in the LDP in an area identified as public open space in the Plan. However, the development limit has been arbitrarily drawn whereby it does not follow any discernible feature on the ground.

Although two of the houses are located outside the development limit on an area identified as public open space, an equivalent area located within the development limit for housing purposes is to be retained as public open space as part of the development in the south eastern part of the site. There will therefore be no unacceptable loss of open space as a result of the proposal.

In addition, it is noteworthy that Policy AH2 permits proposals for 100% affordable housing on sites immediately adjacent to the development limits of defined settlements subject to certain qualifying criteria as referred to above. The proposal meets the requirements of the policy in that the two affordable units in question represent a logical extension to the development limits and are of a scale appropriate to and in keeping with the character of the settlement. Furthermore, the affordability of the dwellings will be retained by the Council for subsequent occupants and their size and design are compatible with those of an affordable dwelling.

As to concerns regarding the loss of the existing park, the applicant has recently submitted a separate planning application for the creation of a new replacement park on land immediately to the east of the proposed new housing development. The new facility is to be equipped for children up to the age of 11 and its location adjacent to the public right of way and close to the surrounding housing estates will ensure it is easily accessible to residents.

The issue of the impact of the development upon the residential amenity of surrounding residential properties has been carefully examined as part of officer's assessment of the application. A minimum separating distance of some 22 metres to the facing elevations of the neighbouring properties of Bryn Isaf to the south of the site will ensure that any overlooking of these properties will not be intrusive. Similarly, the layout will not cause any unacceptable impacts by way of loss of light and overshadowing. It is not envisaged that the scale of development proposed will result in any adverse impacts in terms of traffic noise and disturbance and it is of note that the Head of Public Protection has raised no objection to the development from a residential amenity perspective. Any permission granted will be conditioned to require the submission of a construction method statement which will include measures such as a dust mitigation scheme designed to minimise the impact upon local residents and the surrounding environs.

The development therefore accords with policies SP1, GP1, and TR3 in terms of its impact upon the surrounding area.

As to the concerns regarding surface water flooding, the application has been accompanied by a detailed drainage strategy wherein run-off from the development will be discharged to an attenuation system below the new estate road before being discharged to an existing drainage ditch on the perimeter of the site at a controlled greenfield run-off rate. The new piped system in the ditch along the southern boundary of the site that is to be filled in as part of the development will discharge to the same ditch. The scheme will provide a sustainable means of disposal ensuring that no surface water will enter the public sewerage system and no detriment is caused to neighbouring occupiers and landowners. The Authority's drainage engineer and Natural Resources Wales have raised no objection to the scheme. The former has recommended the imposition of a condition requiring the submission and approval of the detailed design of the surface water drainage and attenuation scheme prior to the commencement of the development and the planning permission will be conditioned in accordance with this advice.

Turning to foul drainage, Welsh Water have raised no objection to the applicants' proposal to discharge foul water into the existing public sewer that crosses the site. The surface water removal scheme proposed as part of the development will remove surface water run-off from an impermeable area of 1078 square metres from the combined public sewer which is equivalent to the foul flows from 120 dwellings. This will equate to almost four times the volume of foul flows from the development being removed from the system which will provide substantial betterment to the combined sewer network in terms of its hydraulic capacity in accordance with the objectives of the MOU. This will safeguard against any detriment to the environmental quality of the CBEEMS.

The proposal is therefore considered to be in accord with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner without causing unacceptable harm to neighbouring properties or the wider water environment.

A number of respondents have concerns regarding the impact of the development upon local services and facilities such as schools and health facilities and question whether sufficient capacity exists to accommodate the development. The development will be well related to the services and facilities available in Llwynhendy as well as benefiting from good levels of accessibility to public transport facilities and the higher order facilities available in the wider Llanelli area. The applicant will make a financial contribution towards the improvement of facilities within the local catchment schools of Ysgol Brynteg and Bryngwyn secondary school as part of the development. Furthermore, it is not envisaged that the range of health care services available in the wider area including doctor's surgeries and hospital facilities will be adversely affected by a development of the scale proposed. In this regard, the proposal is in accord with the requirements of Policy GP3 and SP1 of the LDP.

In terms of the respondents' wildlife and habitat concerns, the ecological assessment confirms that the site is of low ecological value. The creation of the new wetland pond feature, new native species hedgerow and the management of existing grassland in the smaller parcel of the site will provide ecological enhancements as part of the development. The Authority's Planning Ecologist and Natural Resources Wales concur with the conclusions of the ecological assessment and have raised no objection from an ecology perspective subject to the implementation of the abovementioned enhancement measures.

The proposal is therefore considered to be in accord with the ecological objectives of Policy EQ4 of the LDP.

The suggestion by the respondents that there are more suitable sites available to develop are not relevant to the application in that the site is allocated for residential development purposes in the LDP. Similarly, matters relating to the devaluation of property prices and the need for a corner shop in the community are not material in the consideration of the application.

Finally, the pre-application consultation undertaken by the applicant was in accord with the relevant statutory requirements. Concerns regarding the presence of Japanese Knotweed in part of the site and its potential spread as part of the development will be addressed with the imposition of a suitable condition requiring the implementation of an appropriate eradication scheme as part of the development.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to represent an acceptable form of residential development that will be in keeping with and complement the general character and appearance of the surrounding area. The site is allocated for housing purposes and its development complies with the key policy and sustainability objectives of the Authority's adopted LDP as well as those of National Planning Policy.

The general scale, design and layout of the scheme will be in keeping with the character and appearance of the surrounding area and the development will provide a range and choice of affordable housing that will be well related to the existing services and facilities in the wider Llanelli area. Moreover, they will have access to a range of sustainable modes of transport and the development will make a valuable contribution towards the Authority's strategic objective of meeting a shortfall of affordable homes in the surrounding area. The development will also contribute to the improvement of educational facilities in the local catchment schools.

The development also satisfies the sustainability requirements of the LDP from an environmental quality and utility provision perspective by implementing a drainage strategy that will dispose of foul and surface water in a sustainable and controlled manner as well as providing betterment to the capacity of the public sewerage system. Furthermore, and as outlined in the appraisal above, there are no highway, amenity, or ecological objections to the development

Accordingly, the application is put forward with a favourable recommendation subject to the requirement that the applicant pay the financial contribution towards the improvement of education facilities prior to the granting of the planning permission.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
 - Existing site and location plan (01D) received on 30 October 2018;
 - Drainage strategy for foul and surface water – Technical Note prepared by Atkins dated January 2017 received on 13 November 2018;
 - Storm water storage estimate – technical note prepared by Atkins dated 25 October 2018 received on 13 November 2018;
 - Proposed drainage layout (5119256-ATK-HDG-GEN-DR-C-002 Rev P01) received on 13 November 2018;
 - Proposed site plan (02F) received on 26 October 2018;
 - Existing and proposed surface water drainage runs plan (01) received on 23 October 2018;
 - Ground Investigation Report (G944/GIR) dated November 2016 prepared by Quantum Geotechnical and received on 23 October 2018;
 - Preliminary Risk Assessment/Desk Study (G944/PRA) dated November 2016 prepared by Quantum Geotechnical and received on 23 October 2018;

- Proposed house type C – plan, elevations and section (05A) received on 23 October 2018;
- Proposed site sections A-A, B-B & C-C (08A) received on 23 October 2018;
- Borehole Mining Investigation Findings dated 25 September 2017 prepared by Quantum Geotechnical and received on 20 October 2017;
- Ecological Assessment dated September 2016 prepared by Habitat Matters Ltd and received on 20 October 2017;
- Proposed house type B – plan, elevations and section (04) received on 20 October 2017;
- Proposed house type A – plan, elevations and section (03) received on 20 October 2017;
- Existing site sections A-A, B-B & C-C (07) received on 7 November 2018;
- Design and access statement dated 6 February 2016 referenced 8845-187 received on 20 October 2017.

- 3 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the details shown prior to the occupation of the dwellings. Thereafter, they shall be retained, unobstructed, for the purposes of parking only.
- 4 Prior to the occupation of the dwellings hereby approved the required access roads and footpaths leading from the existing public highway to the respective units shall be laid out and constructed in accordance with the details shown on the drawings hereby approved.
- 5 There shall at no time be any means of vehicular access to the development from the access or car park of the neighbouring community hall to the west of the application site.
- 6 Prior to any use of the estate road by vehicular traffic, a visibility splay of 2.4 metres x 33 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway of the Dylan estate road.
- 7 Prior to the commencement of development, a detailed scheme for the relocation of the existing bus stop and shelter fronting the site and programme for the implementation of the same shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
- 8 The dwellings hereby approved shall not be occupied until the foul drainage scheme shown on the proposed drainage layout (5119256-ATK-HDG-GEN-DR-C-002 Rev P01) received on 13 November 2018 has been implemented in accordance with the details shown.
- 9 The surface water removal scheme shown on the existing and proposed surface water drainage runs plan (01) received on 23 October 2018 shall be implemented in accordance with the details shown prior to the occupation of the dwellings
- 10 No development shall commence until details of the detailed design of a scheme for the disposal of surface water, based upon the strategy shown in the proposed drainage layout (5119256-ATK-HDG-GEN-DR-C-002 Rev P01) received on 13 November 2018, have been submitted to and approved in writing by the local planning

authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the dwellings and maintained thereafter in perpetuity.

- 11 The existing trees on the southern boundary of the site shall be retained as part of the development.
- 12 No development shall commence until details/samples of the material to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the local planning authority.
- 13 No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i) A traffic management plan for the construction phase of the development to include the parking of vehicles of site operatives and visitors and loading and unloading of plant and materials;
 - ii) storage of plant and materials used in constructing the development;
 - iii) construction compounds, car parks, offices etc;
 - iv) wheel washing facilities;
 - v) measures to manage noise and the emission of dust and dirt during demolition and construction; and
 - vi) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - vii) Identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses. How each of those watercourses and pathways will be protected from site run off during construction.
- 14 During the construction phase of the development, no noise generating works, demolition or construction shall take place other than within the hours of 07:30 – 18:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays. The construction work be undertaken in compliance with BS: 5228 Noise Vibration and Control on Construction and Open Sites.
- 15 No development shall take place until a detailed method statement for the removal or the long-term management/control of Japanese Knotweed on the site have been submitted to and approved in writing by the local planning authority. The method statement shall include measures that will be used to prevent the spread of Japanese Knotweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

- 16 The wildlife mitigation scheme shown on the existing site and location plan (01D) received on 30 October 2018 shall be provided in accordance with the details shown prior to the occupation of the dwellings and thereafter maintained in accordance with the recommendations contained therein.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3-7 In the interests of highway safety.
- 8-9 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 10 To ensure the development is drained in a sustainable and acceptable manner.
- 11 To retain existing landscape features.
- 12 In the interests of visual amenity.
- 13 To prevent the pollution of the environment and in the interests of safeguarding residential amenity.
- 14 In the interests of safeguarding residential amenity.
- 15 To prevent the spread of Japanese Knotweed.
- 16 To provide ecological enhancements as part of the development.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development complies with Policies SP1, SP3 and GP1 of the LDP in that it consists of a sustainable form of development that is appropriate in scale and design to the existing urban form of the area and is not likely to cause unacceptable harm to neighbouring properties.
- The proposed development complies with Policy H1 and H2 of the LDP in that it is allocated for residential development purposes within the Plan. Furthermore, the proposal is in accord with policies AH1 and AH2 of the LDP in that it will consist of an affordable housing scheme that will be in keeping with the existing settlement and the houses are of a scale and design commensurate with an affordable dwelling.

- The proposed development complies with Policies SP9, GP1 & TR3 of the LDP in that the proposal is located in a sustainable location and will not be detrimental to highway safety.
- The proposed development complies with policies EQ4, EP2 and EP3 of the LDP in that it will not result in any unacceptable ecology, flooding or pollution impacts.
- The proposed development complies with policy GP4 in that it will be served by infrastructure that is adequate to meet the needs of the development.
- The proposed development complies with policies GP3, REC2 and REC3 of the LDP in that provision is to be made for a new children's playground adjacent to the development and the proposal will make a financial contribution toward the improvement of education facilities in area.

NOTES

- 1 The applicant/developer is advised that this permission is granted subject to the payment of a commuted sum to the Council in respect of improvements to educational facilities in the locality.
- 2 Further advice and guidance from consultees is provided in their consultation responses which can be viewed on the Authority's website. This may include reference to other relevant permissions and legislation.
- 3 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

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| Application No | S/37933 |
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| Application Type | Full Planning |
| Proposal & Location | SINGLE STOREY REAR EXTENSION WITH A BALCONY TO THE FIRST FLOOR AT 105 PENTRE NICKLAUS VILLAGE, LLANELLI, SA15 2DF |

| | |
|---------------------------|--|
| Applicant(s) | MR MATHEW WILLIAMS, 71 GLENALLA ROAD, LLANELLI, SA15 1EF |
| Case Officer | Robert Davies |
| Ward | Glan Y Mor |
| Date of validation | 17/10/2018 |

CONSULTATIONS

Llanelli Town Council – No response received to date.

Local Members – County Councillor L Roberts opines that the proposal will overlook the neighbouring property and will compromise the privacy of 106 Pentre Nicklaus. Councillor Roberts requests that the Planning Committee undertake a site visit prior to determining the application.

County Councillor J Prosser, who is a Member of the Planning Committee, also requests that the Planning Committee undertake a site visit prior to determining the application.

Dwr Cymru/Welsh Water – No objection.

Neighbours/Public – 2no. neighbouring properties were notified of the application. To date one letter of representation has been received raising the following objections:-

- Loss of privacy as a result of overlooking from the proposed balcony;
- Loss of morning sunlight, which will also result in a damper garden;
- Loss of views of the golf course to the east;
- The increased footprint of the property will exacerbate existing drainage problems in the garden;
- Devaluation of property;
- Request that the Planning Committee undertake a site visit prior to determining the application.

RELEVANT PLANNING HISTORY

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

| | | |
|----------|--|-------------------|
| S/12435 | Proposed amendments to previously approved application ref. LL/02037 dated 19.09.02 to include change of house types, plot re-orientation, plot and highway re-alignment and amended slab levels Full planning permission | 20 April 2006 |
| LL/02037 | Residential – 176 houses Full planning permission | 19 September 2002 |
| S/03042 | Residential Outline planning permission | 24 May 2001 |

APPRAISAL

THE SITE

The application site consists of a modern detached dwelling located on the Pentre Nicklaus Village housing development in Machynys, Llanelli. The property itself occupies a corner plot on the estate.

THE PROPOSAL

The application seeks full planning permission to construct a single storey flat roof rear extension with balcony above. The proposed extension is 8.4 metres in width, 4 metres in depth and is 2.8m high to the top of the flat roof. The proposal will provide additional kitchen and living area at ground floor, with a balcony above accessed from the first floor study via a new set of sliding doors. The proposed balcony is surrounded by a glazed balustrade, whilst a 1.8m high obscure glazed screen is proposed on the western elevation of the balcony.

PLANNING POLICY

The area is covered by the Carmarthenshire Local Development Plan that was formally adopted in December 2014. The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and the key relevant policies are as follows:-

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. It also seeks to ensure that proposals do not have a significant impact on the amenity of adjacent properties.

Policy GP6 of the LDP relates specifically to domestic extension proposals and states that extensions should be subordinate in scale and external appearance in comparison to the host dwelling; should not adversely affect the amenities of neighbouring properties; and should allow for sufficient garden amenity space to remain.

THIRD PARTY REPRESENTATIONS

As aforementioned in this report, one neighbouring property has objected to the application whilst both Local County Councillors have also provided comments. The material reasons for concern and objection raised will now be addressed individually as part of this appraisal, however as Members will be aware, there is no legal right to a view whilst devaluation of property is also not a material planning consideration.

In terms of overlooking from the proposed balcony, as aforementioned the proposal makes provision for a 1.8m high obscure glazed screen on the western elevation facing no.106 Pentre Nicklaus. This will ensure that users of the balcony cannot directly overlook the objector's property from an elevated position. In addition to this, the existing dwelling is orientated in a south easterly direction ensuring that views are focussed away from the objector's dwelling.

With regards to loss of sunlight, the proposed extension is only single storey and is not considered excessive in scale. The proposal is also offset away from the boundary with the objector's property. Therefore it is not considered that the proposal will adversely affect the amount of sunlight entering no.106 Pentre Nicklaus. It is worth noting that an extension of the scale currently proposed, with the exception of the balcony, would not normally require planning permission, however Permitted Development Rights were removed on this housing development.

Finally in terms of drainage, it is considered that the proposed development will not exacerbate any existing drainage problems in the rear garden area of no.106 Pentre Nicklaus. Sufficient garden space remains at the application property to ensure that adequate drainage systems can be put in place, and this will be safeguarded at any subsequent Building Regulations stage. It is worth noting that the land falls away from the rear of the dwelling towards the south east corner of the garden.

CONCLUSION

The proposed extension and balcony are considered acceptable in size, scale and design terms in keeping with the property itself and immediate environs. The proposal will not in the LPA's opinion result in any adverse amenity issues whilst it is considered that the issues of concern and objection raised have adequately been addressed as part of the above appraisal. Sufficient rear garden amenity space will remain post development.

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 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 received on the 15th October, 2018:-

- Block and location plans (001) 1:200; 1:500; 1:1250 @ A3;
- Existing floor plans (101) 1:100 @ A3;
- Proposed floor plans (102A) 1:100 @ A3.

- 3 Prior to the beneficial use of the development hereby approved the 1.8m high obscure glazed screen on the western side of the balcony as shown on the approved drawings shall be erected strictly in accordance with that shown and thereafter retained as such in perpetuity.

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 order to preserve residential 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.

- 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.
- It is considered that the proposed development complies with Policy GP6 of the LDP in that it is appropriate in terms of scale and design, sufficient amenity/garden space remains, and it shall not adversely affect the amenities of the occupiers of the neighbouring properties.

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.

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| Application No | S/37971 |
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| Application Type | Full Planning |
| Proposal & Location | TO REFURBISH, ALTER AND CHANGE THE USE OF THE EXISTING OFFICES, TO PROVIDE 8 RESIDENTIAL FLATS CONSISTING OF A MIX OF NEW ONE BED, TWO BED AND STUDIO, HOUSING ASSOCIATION APARTMENTS AT WRW CONSTRUCTION LTD, 3-5 GORING ROAD, LLANELLI, SA15 3HF |

| | |
|---------------------------|--|
| Applicant(s) | POBL - ANDREW REES, 7-13 THE KINGSWAY, SWANSEA, SA1 5JN |
| Agent | DENNIS HELLYAR ARCHITECTS - DENNIS HELLYAR, UNIT 15, BSC, HOOD ROAD, BARRY, CF62 5QN |
| Case Officer | Robert Davies |
| Ward | Elli |
| Date of validation | 26/10/2018 |

CONSULTATIONS

Head of Highways and Transport – No objection.

Head of Housing – No objection.

Llanelli Town Council – No response received to date.

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

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

The Coal Authority - No response received to date.

Neighbours/Public – Two neighbouring properties were notified of the application whilst a site notice was also erected publicising the application. To date three letters of representation have been received from neighbouring properties raising the following concerns and objections:-

- Goring Road already has properties converted into flats as well as a health clinic and a solicitors' office. Some households have more than two vehicles. The development of apartments at All Saints Church, plus the proposed eight apartments in this application, will add to the existing problems that residents have on a daily basis finding a parking space in the designated residents parking areas.
- Parking on Goring Road itself will be an easier option for future residents than using the car parking area to the rear. The car park only provides one space per flat which is not sufficient as many households these days have more than one vehicle.
- Goring Road is used by the general public for parking purposes when visiting commercial premises at the top of Goring Road, Thomas Street and West End. It is also used as a shortcut.
- Traffic congestion is already a problem when leaving Goring Road at its junction with Hall Street/West End.
- The proposal will exacerbate existing traffic and parking problems at Goring Road and will therefore be detrimental to highway safety.
- The addition of another house of multiple occupation is unnecessary and inappropriate for the demographic of the area, namely family homes.
- Extra vehicles would cause more noise, pollution and dust.
- There will be additional noise due to comings and goings at the property which would not be the case if the property reverted to two single dwellings.

RELEVANT PLANNING HISTORY

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

| | | |
|---------|---|--------------|
| D5/6417 | Conversion into 6 self-contained flats with car parking Full planning permission | 14 June 1982 |
| D5/880 | Change of use to office Full planning permission | 19 May 1975 |

APPRAISAL

THE SITE

The application site relates to Nos. 3 and 5 Goring Road, in Llanelli, which used to consist of the former offices for WRW, a local construction firm. The firm has relocated its office base to North Dock in Llanelli. Goring Road itself is a one way street leading down from Thomas Street/Old Road to the east, to West End/Hall Street to the west. The street is primarily residential in character interspersed with some non-residential uses, whilst there are on street parking restrictions along its length in the form of either resident permit parking or general parking restricted to 1 hour periods at certain times of the day.

The application property is three storey in nature and has a designated off street parking area to the rear of the building accessed via a lane to the south of No.1 Goring Road. The property would have once been a pair of dwellings forming a terrace of three with No.1 Goring Road, however when the property was used as offices internal links were created to amalgamate two properties into one.

THE PROPOSAL

The application seeks full planning permission to change the use from offices to 8no. flats set over three floors consisting of a mix of one bed, two bed and studio housing association apartments. The plans submitted indicate that provision can be made for 8no. parking spaces to the rear of the building, whilst a sheltered bike store (10no. bicycles) and a bin storage area are also to be provided to the rear of the building.

PLANNING POLICY

The area is covered by the Carmarthenshire Local Development Plan that was formally adopted in December 2014. The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP. The key relevant policies are as follows:-

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 SP6 of the LDP ensures the delivery of affordable housing that in turn will contribute to the creation of sustainable communities within the Plan area.

Policy SP9 of the LDP promotes the provision of an efficient, effective, safe and sustainable integrated transport system.

Policy SP14 of the LDP states that development should reflect the need to protect, and wherever possible enhance the County's natural environment in accordance with national guidance and legislation.

Policy SP17 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.

Policy TR2 of the LDP states that developments which have the potential for significant trip generation, should be located in a manner consistent with the plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

Policy TR3 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 states that proposals affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest will only be permitted where it preserves or enhances the built and historic environment.

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 EP2 of the LDP states that proposals should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate and satisfactorily address any issues in terms of air quality, water quality, light and noise pollution, and contaminated land.

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.

THIRD PARTY REPRESENTATIONS

As aforementioned in this report, three letters of representation have been received which raise objections and concerns in relation to the proposed development. The issues raised are considered to be material planning considerations and will therefore be addressed as part of this appraisal.

In terms of the parking and highway safety related concerns, the application site has an extant use as commercial offices, and therefore the proposed use as residential flats is considered to represent a less intensive use of the site. As already mentioned, provision is made for 8no. car parking spaces to the rear of the building, whilst the proposed cycle rack provision will hopefully encourage residents and visitors of the development to travel sustainably to and from the site, which is in accordance with the Active Travel (Wales) Act 2013. This level of parking provision is considered acceptable in such an edge of town centre and sustainable location, well served also by public transport links. Members will have noted that the Authority's Head of Transport has raised no objection towards the proposed development.

The proposed residential end use of the development is considered more compatible with the residential character of Goring Road than the previous commercial office use. The proposal relates to self-contained flats and not a house of multiple occupancy.

It is considered that the proposal is not of a scale or nature that will result in unacceptable levels of noise, pollution or dust.

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 proposed end use is considered compatible with the residential character of Goring Road.

It is considered that there are no loss of amenity issues associated with the proposed development whilst it is considered that the reasons for concern and objection raised have adequately been addressed as part of the above appraisal.

The applicant in this instance, namely Pobl, are a Registered Social Landlord, and the Authority's Housing Division has confirmed that the proposed scheme will be subject to a Social Housing Grant. The above will ensure that the flats themselves are affordable and retained as such in perpetuity.

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 subject to 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 received on the 24th October, 2018:-
 - Location Plan (01) 1:1250 @ A4;
 - Existing floor plans and elevations (02) 1:100 @ A1;
 - Proposed ground plans (03) 1:50 @ A1;
 - Proposed first and second floor plans and elevations (04) 1:50; 1:100 @ A1.
- 3 No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 4 The first floor bathroom and landing windows in the northern elevation shall be glazed in obscure glass and thereafter retained as such in perpetuity.
- 5 Prior to the beneficial use of the residential flats hereby approved, the bike storage area as shown on the drawings hereby approved should be completed and made available for use.
- 6 Prior to the beneficial use of the residential flats hereby approved, the bin storage area as shown on the drawings hereby approved should be completed and made available for use

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2+6 In the interest of visual amenity.
- 3 To secure the affordable housing needed for the locality.
- 4 To preserved residential amenity.
- 5 In the interest of highway safety and in the interest of sustainable travel.

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 SP6 of the LDP in that the applicant is a Registered Social Landlord and the proposed scheme is subject to a Social Housing Grant. Therefore the flats will be affordable.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- 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 is a Registered Social Landlord and the proposed scheme is subject to a Social Housing Grant. Therefore the flats will be affordable.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- 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 proposed development preserves the built and historic environment.
- 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 EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- 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.

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.

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 13 RHAGFYR 2018
ON 13 DECEMBER 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: | 13 DECEMBER 2018 |
| REPORT OF: | HEAD OF PLANNING |

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APPLICATIONS RECOMMENDED FOR APPROVAL

| | |
|-----------------------|----------------|
| Application No | W/37655 |
|-----------------------|----------------|

| | |
|--------------------------------|---|
| Application Type | Full Planning |
| Proposal & Location | CHANGE OF USE OF FARM-LAND TO, TWO, GYPSY TRAVELLER PITCHES (WITH DAYROOMS) AT LAND LYING SOUTH OF, BRYNHOWELL, LLANDDOWROR, SA33 4HN |

| | |
|---------------------------|--|
| Applicant(s) | MR TONY JONES, PLOT 9 , KINGSMOOR COMMON, KILGETTY, PEMBROKESHIRE, SA68 0YX |
| Agent | ATRIARC PLANNING - WAYNE REYNOLDS, LLWYNTREHARNE, LLANGYNIN, ST CLEARS, SA33 4LA |
| Case Officer | Gary Glenister |
| Ward | Laugharne Township |
| Date of validation | 09/08/2018 |

CONSULTATION

Head of Transport – Has no objection subject to the imposition of appropriate conditions.

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

Llanddowror and Llanmiloe Community Council – Objects to the proposal on the following grounds:-

- a) The land is outside the LDP;
- b) The applicant's site in Kilgetty is being extended;
- c) The Gypsy status of the applicant is questioned;
- d) The site is visible from the A477 and out of character;
- e) The proposal should be looked at as a permanent new dwelling;
- f) The nearest service centre is St Clears;
- g) The second pitch is questioned as the children are still young and are still dependant on the parents. Will this add more pitches in the future?

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

Natural Resources Wales – Has no observations.

Neighbours/Public – The application has been advertised by six site notices. Eight objections have been received to date raising the following matters:-

- Gypsy status questioned in terms of nomadic lifestyle;
- Green belt/open countryside;
- Agricultural land;
- Exposed and elevated location;
- Visual amenity;
 - impact on site;
 - visible from the A477;
- Local facilities - lack of facilities in vicinity (St Clears is 2.5miles away);
- Highway safety;
 - traffic generation;
 - impact on minor road;
- Precedent for more pitches;
- Are utilities on site?
- The existing site in Kilgetty is being extended;
- No links to local community;
- The site should be for affordable homes;
- Devaluation of property;
- Equality - Human Rights Act applies to settled communities not just travellers;
- Other non-planning related objections.

RELEVANT PLANNING HISTORY

There is no relevant planning history for the site, however it was part of the land assembled for the A477 bypass which was a Welsh Government Trunk Road Scheme.

APPRAISAL

THE SITE

The application site is an irregular shaped small parcel of land approximately 43m wide by a maximum of 25m deep with additional of an access including a passing place within the

applicant's ownership and a passing place on the C3230 shown edged red. The site forms part of a parcel of land which slopes down from the West to the East and lies to the South of the C3230 road which runs between Llanddowror and Tavernspite.

The site forms a small part of a parcel of land bought off the Welsh Government as part of its land disposal after the construction of the A477. The site would have formed part of the operational land used in the construction of the A477 with a large car park/compound situated to the West of the application site and an access down onto the road alignment immediately to the East.

The site has a residential bungalow known as Brynhowell approximately 27m to the North East beyond which is an agricultural complex known as Pentrehowell to the North East. The site is approximately 1.3km from the edge of Llanddowror lying to the East, which is the nearest settlement. The site is however to the North of the A477 accessed via a bridge. The site is approximately 4.4km from St Clears which is the nearest settlement with a range of facilities.

The site is set within what was undulating countryside, however it has the A477 running in a cutting which interrupts the flow of the natural landscape. Given the topography, the site is in an elevated position, however the top of the cutting itself shields direct views from the A477 in the immediate vicinity.

The site has an established hedgerow along the minor road so the proposal would be obscured from direct views.

THE PROPOSAL

The application seeks to station two static caravans/mobile homes with associated day rooms and parking for touring caravans and private vehicles for use by a Gypsy family.

A case has been put forward that units are needed to house a single family of Gypsies currently resident on a formal site in Kilgetty, Pembrokeshire. The family is said to have outgrown their pitch and with a waiting list for new pitches has opted to seek a small private site for family use.

Two day rooms are proposed measuring approximately 8m by 10.5m with a living area. Kitchen, utility and bathroom. Externally the day rooms are proposed to be composite cladding under an interlocking effect roofing system.

An analysis has been provided of both the Pembrokeshire and Carmarthenshire Gypsy and Traveller Accommodation Assessment (GTAA). This shows a lack of pitches on formal sites. The applicant has assessed the availability of Council pitches in both Counties who have a shortage of pitches under both the respective GTAA's.

Access is sought from the C3230 which runs between Llanddowror and Tavernspite. There are existing accesses present from the previous use as an operational compound, however an improved access with radius curbs is proposed to ensure that a safe and fit for purpose access is achieved. A passing place is proposed on the highway which would provide a highway improvement.

PLANNING POLICY

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

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.

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 Gypsy status of the applicant has been questioned in terms of the lack of nomadic lifestyle given the fact that the applicant has lived at the Council site in Kilgetty for 40 years. The Pembrokeshire County Council Gypsy and Traveller Liaison Officer has written a letter of support (Appendix A of the Planning Statement) which confirms that the applicant is part of a known Gypsy family on an established site. It is noted from Circular 005/2018 Paragraph 2 that where a family has health or educational needs, the nomadic lifestyle can be permanently or temporarily suspended without contravening the definition of a Gypsy or Traveller. Paragraph 3 clearly states that “Members of these communities do not necessarily need to demonstrate a continued habit of life to be considered to be Gypsies or Travellers”. In this case, the applicant has four school age children and a pre-school toddler. The children are currently in Stepside Primary School and Greenhill School, Tenby so in order to ensure educational stability, the applicant does not travel around the country but this does not affect the Gypsy status.

The site is in the open countryside outside settlement development limits. It is not defined as greenbelt however the general policies for open countryside apply.

The site is currently agricultural land, however it is noted that the site was operational land when the A477 was being constructed and it is not therefore considered to be of the highest quality for agricultural purposes.

The site is in an open elevated location compared with the A477 and is within the open countryside. The site itself however has a mature hedgerow along the road frontage and is not considered to be prominent in the wider landscape. The A477 runs in a cutting at this point so the site itself is not highly visible.

There are concerns that the nature of the application would result in a site which would be detrimental to visual amenity. This however is not founded on planning grounds and has no weight. It is noted that the applicant has a job as a scaffolder so there need not be business vehicles or activities on the site which could add to the visual impact on the surrounding landscape.

There is concern that there is a lack of local facilities in the vicinity of the site to serve the proposal. The site is said to be 2.5 miles from St Clears which has a range of facilities. The policy in the LDP makes reference to sites being "reasonably accessible to a range of facilities and services". It is considered that 2.5 miles to a settlement with a range of shops services and facilities is reasonably accessible and that the site is therefore in compliance with the policy.

Highway safety has been carefully considered and there have been detailed discussions between the applicant and the head of transport. It is noted that the site was part of the road corridor for the new A477 and formerly used as operational land for the construction of the road with access off the minor road. It is noted that there are existing accesses along the minor road which were formerly compound accesses within the applicant's ownership. The discussion has concluded that with some highway improvement in terms of a passing place and stopping up of an existing access, the highway can accommodate the additional traffic without detriment to highway safety.

Precedent for more pitches on the site is not a material planning consideration as it is speculative. The application is for two pitches and the merits of any additional pitches would be considered if proposed in the future.

The site will have to benefit from a range of utilities on site. It is noted that the land was formerly part of the operational land for the construction of the bypass and has a farm and bungalow opposite so it will be serviced by utilities.

The existing site in Kilgetty is said to be in the process of being extended. After dialogue with Pembrokeshire County Council's Gypsy and Traveller Liaison Officer, it has been confirmed that the 12 additional pitches (2 of which are subject to knotweed eradication so will not be available for several years) are not yet available and in any case have been pre-let to those living in touring caravans to satisfy part of the historic local demand and therefore the applicant does not have the option of expanding the existing pitch as he would not be a priority need.

The applicant has no links to local community and the site has no history of occupation by Gypsies. The applicant has bought a parcel of land off the Welsh Government and given the good accessibility to the trunk road network seeks to establish a single family site. The applicant has submitted an analysis of the formal sites in Pembrokeshire and Carmarthenshire and both have a shortfall of pitches, hence the site has been put forward

for the proposal. Circular 005/2018 encourages the use of private sites in these circumstances.

The site would not be suitable for affordable homes as it is in the open countryside and not contiguous with a settlement and hence not be in accordance with Policy AH2 of the LDP for exception sites.

Devaluation of property is not a material planning consideration so is therefore discounted.

Equality in terms of the Human Rights Act does apply to settled communities as well as travellers. However local and national policy and guidance has developed on the basis of planning case law where matters have been explored in detail. Circular 005/2018 specifically addresses Human Rights. The proposal has been considered in light of the national and local policies.

Other non-planning related objections are not relevant and are therefore discounted.

CONCLUSION

After careful consideration of the site and surrounding environs in the context of the application it is considered that the site forms a new private Gypsy site in the open countryside for occupation by a single family.

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 from a formal site in Pembrokeshire to a small single family site as there is insufficient space for them where they are living and there is a significant waiting list for new pitches. The applicant therefore seeks to establish a small private site for the family as encouraged by Circular 005/2018.

The site is in open countryside, being approximately 1.3km by road from the nearest settlement of Llanddowror and 4.4km by road from the centre of St Clears which has a range of local facilities. The site is not considered to be immediately related to schools, shops, medical and other community facilities, however in terms of the LDP Policy is considered to be "Reasonably Accessible".

Circular 005/2018 provides the most up to date National advice which is grounded in the Well Being 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 a single family unit and it would free up space on the Kilgetty Site in Pembrokeshire and not put pressure on Carmarthenshire to find a pitch on a public site for the family.

On balance, the proposal is considered to be in a location which is reasonably accessible to the trunk road network and the village of St Clears which has a range of services and facilities. Whilst there are concerns locally, the proposal is considered to be acceptable in accordance with local and national policy.

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:-
 - 1:100 scale Proposed Elevations and Layout Plan. Drawing No. 2cf dated 6th August 2018;
 - 1:100 scale Proposed Elevations and Roof Plan Unit 1. Drawing No. 2aF dated 6th August 2018;
 - 1:100 scale Proposed Elevations and Roof Plan Unit 2. Drawing No.2bF dated 6th August 2018;
 - 1:500 scale Existing Site Sections. Drawing No. 3dF dated 6th August 2018;
 - 1:500 scale Proposed Layout Plan. Drawing No. 3bF dated 2nd October 2018;
 - 1:500 scale Proposed Drainage Line. Drawing No. 3cF2 dated 2nd October 2018;
 - 1:1000 scale Site Access dated 2nd October 2018;
 - 1:500 scale Proposed Landscape Plan. Drawing No. F2 dated 8th November 2018;
 - 1:500 scale Proposed Passing Bay. Drawing No. Pb2 dated 13th November 2018;
 - 1:2000 scale Site Plan dated 13th November 2018.
- 3 The site shall not be occupied by any persons other than Gypsies and Travellers as defined in paragraph 2 of Circular 115/2018 “Planning for Gypsy, Traveller and Showpeople Sites”.
- 4 The occupation of the site hereby permitted shall only be by Mr and Mrs Tony Jones 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 caravans or mobile home) shall be stationed on the site at any time.

- 7 No commercial activities shall take place on the land edged red or blue, including the storage of materials, nor shall any vehicle over 3.5 tonnes be stationed, parked or stored on it.
- 8 The former gated field entrance, shown on drawing Pb3 dated Nov 2018, shall be permanently stopped up and the public highway reinstated to the written approval of the Local Planning Authority, prior to the new means of access, herein approved, being brought into use.
- 9 The new vehicular access shall be laid out and constructed strictly in accordance with the submitted drawing Pb3 dated Nov 2018, prior to the occupation of any part of the development herein approved. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 10 Any access gates shall be set back a minimum distance of 10.0 metres from the highway boundary, and shall open inwards into the site only.
- 11 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5.0 metres from the near edge of the carriageway.
- 12 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 120 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway.
- 13 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 14 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained in perpetuity, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 15 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 16 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 17 The access road shall be hard-surfaced in a bonded material for a minimum distance of 10.0 metres behind the near edge of carriageway, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
- 18 A passing bay, giving a carriageway width of 5.5 metres over a 10 metres linear length of the road, shall be provided within the C3230 highway fronting the site at the location shown on drawing Pb3. This shall be implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.

- 19 The proposed ecological buffer zone shall be retained in perpetuity and managed in accordance with the “Interim Management Plan” dated 8 November 2018.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity.
- 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.
- 8-18 In the interests of highway safety.
- 19 In the interests of ecology.

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 unacceptable adverse impact on the amenities of third parties, or the character of the surrounding landscape.
- The proposal complies with Policy TR3 in that highway improvements are proposed and the scheme is not therefore likely to have an adverse impact on highway safety.

NOTES

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

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

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

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

- 2 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).

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| Application No | W/37690 |
|-----------------------|----------------|

| | |
|--------------------------------|---|
| Application Type | Full Planning |
| Proposal & Location | UPGRADING OF EXISTING ENTRANCE TO WOODLAND TO ALLOW FOR THE EXTRACTION OF TIMBER AT ENTRANCE TO ALLT WERNCOR GAM COMMERCIAL FOREST, WEST OF LLANLLWCH, CARMARTHEN, SA31 3QY |

| | |
|---------------------------|---|
| Applicant(s) | TILHILL FORESTY LTD - IWAN PARRY, 14 HIGH STREET, LLANDOVERY, SA20 0PY |
| Agent | UPM TILHILL - IWAN PARRY, UPM TILHILL, LLOYDS BANK CHAMBERS, 14 HIGH STREET, LLANDOVERY, SA20 0PY |
| Case Officer | Paul Roberts |
| Ward | Llansteffan |
| Date of validation | 16/08/2018 |

CONSULTATIONS

Head of Transport – Has raised no objection to the application.

Llangain Community Council – Has not commented on the application to date.

Local Members – County Councillor C Jones is a member of the Planning Committee and has made no prior comment on the application.

County Councillor G John, who is a local member for the neighbouring Carmarthen Town South ward, accepts that the mature woodland needs to be harvested at some point but highlights that Alltynap Road on which the site is located already suffers from a significant volume of HGV traffic in association with Cwrt Malle Farm as well as general agricultural contractor traffic. He therefore requests the implementation of a traffic management plan as part of the proposal in order to mitigate the likelihood of road blockages as a result of the haulage of timber from the forest.

Neighbours/Public – The application has been publicised with the posting of a site notice to the front of the site. In response, four letters of representation have been received from nearby residents who object to the proposal and raise the following concerns:-

- The movement of heavy goods vehicles and agricultural machinery along Alltynap Road has increased significantly over recent years.
- The road is not suitable for large vehicles.

- Impact upon the environment in terms of noise levels and air pollution.
- Detrimental impact upon highway safety and the amenity of residents.
- Consideration needs to be given to an alternative route as Alltynap Road is already at capacity.
- The proposal will equate to an average of 2 HGV movements per day for a 2 month period.
- Problems for vehicles passing each other at narrower parts of the road.
- Damage and devaluation of existing properties.
- The entrance to the field is a public footpath.
- The cumulative impact of the development with the large articulated lorries currently travelling along Alltynap Road to and from Cwrt Malle Farm which currently has an application to expand further.

The local Assembly Member for Carmarthen West, Angela Burns, reiterates the abovementioned concerns on behalf of her constituents and requests that consideration be given to an alternative route or that a condition be placed on the permission granted ensuring lorry movements are restricted and do not coincide with the school bus service.

RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

APPRAISAL

THE SITE

The application site consists of an existing field entrance located on the northern side of Alltynap Road approximately 500 metres to the south west of the village of Llanllwch. The entrance provides access to a large open field enclosure that flanks the northern side of the roadway and is bounded to the north by a mature woodland known as Allt Werncorgam.

There is a farmstead of large agricultural buildings and stone barns located to the south of the site on the opposite side of the roadway with the access to the same being directly opposite the site. The farm house itself is located further to the south west and has its own separate access.

Alltynap Road is of a rural character within the vicinity of the site having mainly a single carriageway width and being flanked by high hedgebanks. It widens to the east of the site on its approach through Llanllwch beyond which it forms the main access road serving Cillefwr Industrial Estate. To the west, the road maintains its narrowness and rural character and links up with a number of similar roads that serve the wider areas of Llangain and Llangynog.

THE PROPOSAL

The application seeks full planning permission for the widening and improvement of the existing field entrance to allow for the harvesting of the neighbouring Allt Werncorgam woodland located to the north of the field entrance and enclosure.

The woodland was planted with a crop of Douglas fir trees in the 1960's as a commercial timber crop and the trees are now mature and ready for felling. The applicant has been granted a tree felling license by Natural Resources Wales and intends to extract the timber

via an access track that will cross the field and egress onto Alltynap Road via the existing field access. The timber will be transported by HGV's which, on egressing the field, will head in an easterly direction along Alltynap Road through Cillefwr Industrial Estate towards the wider strategic road network of the A40 and A48.

The access is to be widened and improved to allow for the safe passage of HGV's to and from the site. A splayed entrance is to be formed onto the roadway having a maximum width of approximately 13 metres which will narrow down to 4 metres on the approach into the field. The access will extend to a distance of 25 metres into the field and have a stone finish. Part of the existing hedge to the east of the access is to be translocated to form the new splay that will allow the vehicles to easily access and egress the field in this direction. The front section of the hedge to the west is to be reduced in height in a tapered manner along a 30 metre length from the access to improve the vision splay in this direction. Once the timber has been harvested this hedge will be allowed to grow back to its existing height. The applicant has provided a detailed method statement for the proposed translocation and cutting back of the hedgerows which has been prepared with the advice of the Authority's Planning Ecologist.

The applicant has confirmed that the harvesting of the woodland will take place over a two month period and will require an estimated 94 HGV movements to extract the timber. Following discussions with officers including those of the Highways and Transport Service, the applicant has provided a traffic management plan to minimise the impacts of the HGV vehicles leaving the site upon the narrowest length of Alltynap Road between the field access and Cillefwr Industrial estate to the east which is approximately 1.2 kilometres in length.

The plan limits the number of HGVs entering and leaving the site to six in any one day with the maximum size of the convoy of vehicles being the same number. The HGV's carrying the timber and leaving the site will be required to travel in an easterly direction along Alltynap Road towards Cillefwr Industrial Estate and, before doing so, oncoming traffic heading west towards the site from the Industrial Estate and Llanllwch will be stopped to prevent a conflict of traffic along the narrowest parts of the roadway. Similarly, traffic heading east will be stopped at the entrance to the site when the HGV's start their journey to the site from Cillefwr Industrial Estate to collect the timber. The applicant will utilise a two way radio system and appropriate signage to ensure the efficient operation of the management plan. Furthermore, no HGV's will be permitted to enter or leave the site during peak hours of between 8:00am and 9:30am in the morning and 3pm and 6pm in the evenings in order to avoid the busiest traffic periods.

It is of note that the felling of the woodland and the creation of internal tracks and turning facilities, including the creation of a track across the field enclosure, are permitted development by virtue of Part 7 of the Town and Country Planning (General Permitted Development) Order 1995. They do not therefore require planning permission. Notwithstanding this, the applicant intends to submit a prior notification application relating to the siting and means of construction of the internal tracks and turning facilities prior to the development commencing.

PLANNING POLICY

In the context of the current development control policy framework the site is outside the development limits of Carmarthen as defined in the adopted Carmarthenshire Local Development Plan (LDP). The following policies of the Plan are relevant to the proposal.

Policy GP1 is a general policy which seeks, amongst others, to promote sustainability and high quality design and to ensure that new development proposals conform with and enhances the character and appearance of the site and area. The policy also requires that proposals retain and where appropriate incorporate important local important features such as hedgerows and trees and that developments should not have a significant impact on the amenity of adjacent land uses and properties. It also requires the provision of an appropriate access which does not give rise to any parking or highway safety concerns on the site or within the locality.

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. The policy also requires that access standards including visibility slays and design features should be provided to ensure highway safety and the ease of movement of vehicles.

Policy EQ4 relates to biodiversity and states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and in exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made. Allied to the above, Policy EQ5 permits proposals which would not adversely affect those features which contribute to local distinctiveness/qualities of the County.

THIRD PARTY REPRESENTATIONS

As noted above, the application has attracted four letters of objection from local residents as well as a letter from the local Assembly Member wherein she raises concerns on behalf of her constituents. County Councillor G John has also commented on the application and requested the implementation of a traffic management plan in order to mitigate the likelihood of road blockages along Alltynap Road. The issues raised are addressed below.

The principal concern amongst respondents is the likely traffic impact of the proposal along Alltynap Road which it is suggested is not suitable for the large vehicles that will transport timber from the site. Particular reference is made to the narrowness of the road which will preclude vehicles from passing and the potential impact upon highway safety. A number of respondents draw reference to the cumulative impact of the proposal with the nearby Cwrt Malle farm holding which, it is suggested, has resulted in the increased movement of heavy goods vehicles and agricultural machinery along the road over recent years.

The traffic management plan submitted by the applicant is to be implemented to mitigate the potential traffic impacts upon Alltynap Road and has been prepared upon the advice officers. Following an assessment of the proposal, the Head of Transport has raised no objection to the access improvements and is satisfied that the measures proposed in the traffic management plan will prevent conflicts between HGV's and other traffic travelling along Alltynap Road. Furthermore, the plan will preclude the HGV's from entering and leaving the site during the peak hours in the morning and afternoon when traffic flows along the road are likely to be higher. This will further safeguard against any unacceptable impact upon the existing flow of traffic as well as the amenity of neighbouring residents along the

route. The short distance between the site and the industrial estate will also ensure that any delay or inconvenience to existing road users will be minimal.

Members will have noted that the felling of the woodland will generate an estimated 94 HGV movements to extract the timber with this being undertaken over an estimated two month period. The level of traffic equates to an average of 2 HGV's per day over a two month period or alternatively an increase in the number of movements up to the six permitted in the traffic management plan would significantly reduce the duration of the harvesting works and the increased traffic flows along Alltynap Road. The additional traffic movements will only therefore occur over a short period of time and, with the mitigation measures proposed, it is not considered that the increase will be of such a level so as to unacceptably harm the living standards of those residents living along Alltynap Road. The widening of the access and works to the existing hedgerows will also ensure that the vehicles egressing the field will have adequate visibility of oncoming traffic along the roadway.

A number of respondents have suggested that consideration be given to an alternative route given that Alltynap Road is perceived to already be at capacity. The countryside location of the woodland to the west of Johnstown means that Alltynap Road provides the shortest and only direct route to the wider strategic highway network of the A40 and A48. Alternative routes would not be feasible given the restrictive nature of the rural highway network.

Any planning permission granted will be conditioned to require that the HGV movements using the improved access in association with the harvesting of the woodland must comply with the measures contained in the traffic management plan. The proposal is therefore considered to be in compliance with the objectives of policies GP1 and TR3 of the LDP in terms of its impact upon the highway network and the amenity of local residents.

Concerns that the proposal will impact upon an existing public footpath are mistaken in that there is no public right of way crossing the field enclosure or its entrance onto the roadway.

Finally, matters relating to the devaluation of property prices and damage to existing properties are no material in the consideration of the application.

CONCLUSION

After careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date, the proposed widening and improvement to the existing field entrance to allow for the harvesting of the Allt Werncorgam woodland is considered to be acceptable.

The improvement to the existing field access and associated traffic management measures as part of the harvesting of the woodland will ensure there will be no unacceptable impact on the surround road network or the amenity of local residents. The Authority's Planning Ecologist has raised no objection to the proposed work to the existing hedgerows as part of the proposal and the translocation and retention of the same will safeguard against any unacceptable visual impact upon the character and appearance of the surrounding rural area.

The proposal is therefore considered to be in accord with the abovementioned policy objectives of the Authority's LDP and is therefore put forward with a favourable recommendation.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information:-
 - Site plan (1a) received on 28 November 2018;
 - Site plan (2a) received on 28 November 2018;
 - Plan of new entrance (Hedgerow) received on 23 November 2018;
 - Method statement for cutting back hedge to improve visibility received on 23 November 2018;
 - Method statement for translocation of hedge bank received on 23 November 2018;
 - Hedge translocation maintenance and management schedule received on 30 November 2018;
 - Traffic management plan received on 28 November 2018.
 - Traffic management plan 1:10,000 received on 28 November 2018.
- 3 The development hereby approved shall be undertaken in strict accordance with the details and measures contained in the following documents:
 - Method statement for cutting back hedge to improve visibility received on 23 November 2018;
 - Method statement for translocation of hedge bank received on 23 November 2018;
 - Hedge translocation maintenance and management schedule received on 30 November 2018;
- 4 All Heavy Goods Vehicles (HGV) using the improved access hereby approved in association with the harvesting of Allt Werncorgam woodland shall do so strictly in accordance with the measures contained in the Traffic management plan and accompanying traffic management plan (1:10,000) received on 28 November 2018.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 To ensure the retention of existing landscape features and in the interests of visual amenity.
- 4 In the interests of highway safety.

REASONS FOR GRANTING PLANNING PERMISSION

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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 GP1 of the LDP in that it will be in keeping with the character and appearance of the surrounding area and will not cause unacceptable highway impacts or loss of amenity to surrounding properties.
- The proposal complies with Policy TRS3 of the LDP in that it will not adversely affect highway safety or residential amenity.
- The proposal complies with policies EQ4 and EQ5 of the LDP in that it will not result in any unacceptable ecology or landscape impacts.

NOTE(S)

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

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

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

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

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

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| Application No | W/37831 |
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| Application Type | Full Planning |
| Proposal & Location | OBSCURED GLAZING TO SIDE ELEVATIONS OF PLOTS 4 AND 5. CHANGE OF DORMER STYLING AT PLOT 4 & 5, CAE COCH, LAND OFF HEOL CWM MAWR, DREFACH, LLANELLI |

| | |
|---------------------------|--|
| Applicant(s) | HAYWOOD HOMES LTD - MIKE HAYWOOD, CAE COCH, LAND OFF HEOL CWM MAWR, DREFACH, LLANELLI, , |
| Agent | PRIME ARCHITECTURE LTD - CELLAN JONES, UNIT 4, 3 LLANDEILO ROAD, CROSS HANDS, LLANELLI, SA14 6NA |
| Case Officer | Richard Jones |
| Ward | Gorslas |
| Date of validation | 21/09/2018 |

CONSULTATIONS

Gorslas Community Council – Has not commented to date.

Local Members - County Councillor D Price and Councillor Aled Vaughan-Owen have not commented to date.

Neighbours/Public - The application has been publicised by the posting of a Site Notice adjacent to the application site and three neighbouring properties were individually consulted. Four letters of objection have been received and these are summarised below:-

- Concerns that the Local Planning Authority has not carried out the correct publicity for the application.
- Unauthorised culverting work has taken place and the site levels are unauthorised given that they differ to the approved plans.
- General concern regarding the placing of an unauthorised window in the flank wall of the dwelling at Plot 5 and the impact on privacy of neighbouring occupiers of Uwch Gwendraeth.
- The window at Plot 5 could be opened and residents could overlook the garden areas of dwellings to the north, to the detriment of their residential amenity.
- The offending window does not comply with the Council's own standards in terms of separation distances from adjoining private garden areas.
- The introduction of the window in Plot 5 represents a breach of the existing planning permission.

- Concern relating to a rear dormer window at Plot 3 which is also overlooking many neighbouring properties.

RELEVANT PLANNING HISTORY

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

| | | |
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| W/37588 | Amend the Section 106 Agreement by removal of affordable dwellings and/or contribution and any commuted sums required | Pending |
| W/36959 | Non-material amendment to W/32959 Non-Material Amendment granted | 24 August 2018 |
| W/36872 | Non-material amendment to W/32960 Non-Material Amendment granted | 24 August 2018 |
| W/35864 | Discharge of condition 3 and 7 of W/32960 (landscaping and parking spaces) Discharge of planning condition granted | 13 December 2017 |
| W/35863 | Discharge of condition 3 and 7 of W/32959 (landscaping and parking spaces) Discharge of planning condition granted | 13 December 2017 |
| W/35199 | Non-material amendments to planning approval W/32960 ie (1) amendment to elevations material finishes on plots 1-4 and 14-16 and (2) Juliette balcony to front elevations on plots 14 and 15 Non-material amendment granted | 16 March 2017 |
| W/35167 | Non-material amendments to planning approval W/32959 (1) amendment to elevations material finishes on plots 5-13 and (2) Juliette balcony to front elevations on plot 12 and mirror plot 12 Non-material amendment granted | 16 March 2017 |
| W/32960 | Construction of 7 no. dwellinghouses with access road (revision to road details submitted under planning permission W/29959) Full planning permission S106 signed - affordable housing/open space - commuted sum | 30 June 2016 |
| W/32959 | Submission for approval of reserved matters of access, layout, scale, appearance and landscaping for 9 no. dwellinghouses and access road Reserved Matters granted Deed of Variation | 25 August 2016 |
| W/29959 | Residential development Outline planning permission S106 signed - affordable housing/open space - commuted sum | 18 March 2015 |

APPRAISAL

THE SITE

The application site comprises two residential dwellings and their respective curtilages on an estate of modern residential dwellings. The two dwellings were approved as part of two larger development phases in 2016, namely W/32959 (Plot 4) and W/32960 (Plot 5) and most of the dwellings are now either occupied or are awaiting occupation.

Each dwelling is a dormer style bungalow characterised by a front projecting gable forming an L shape footprint. Both have off road parking and an area of rear private amenity space.

The two plots have their curtilages adjoining each other with Plot 4 having its side elevation (east) facing the front elevation (west) of Plot 5. The two structures maintain a separation distance of approximately 16m from one another. In terms of the relationship with neighbouring properties Plot 4 shares a rear boundary with Nos 26 and 28 Uwch Gwendraeth (an separate residential estate to the north) and maintains a separation distance of approximately 18m and 25m respectively. It shares a side boundary with Plot 3 on the same residential estate. Plot 5 has its side (north elevation) facing the rear boundaries and private gardens of Nos 28 and 30 Uwch Gwendraeth. The flank wall of Plot 5 will maintain a distance of approximately 5m from the rear boundaries of 28 and 30 and 32m and 37m from their rear elevations.

The site is located within the village of Drefach which itself is within the Ammanford-Cross Hands Growth area. The principle of development has already been established at this site and both Plots 4 and 5 are currently complete and occupied.

THE PROPOSAL

The application seeks planning permission to retain the first floor obscure glazed window openings in the east elevation of Plot 4 and north elevation of Plot 5. The submission also seeks to amend the dormer bungalows by increasing the height from 6.2m as approved to 6.7m. Further physical changes include the reconfiguration of a first floor en-suite and the removal of the storm porch on the ground floor side (east) elevation. Material finishes, siting and footprint dimensions remain unchanged.

PLANNING POLICY

In the context of the current development control policy framework the adopted local plan for the area is the Carmarthenshire Local Development Plan (December 2014).

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that “it conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing” and “it protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment”. Development will be permitted where it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community.

Paragraph 2.2 of Technical Advice Note 12 Design (2014) states:-

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales - from householder extensions to new mixed use communities.

Paragraph 2.6 of Technical Advice Note 12 Design (2014) states:

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

Policy SP1 Sustainable Places and Spaces refer to distributing development to sustainable location in accordance with the settlement framework and promotes the efficient use of land. Integrating with the character and amenity of the area is also referred to.

Policy SP3 Sustainable Distribution – Settlement Framework outlines the growth areas for the County of which Carmarthen is one.

Provision for growth and development will be at sustainable locations in accordance with the following Settlement Framework

ASSESSMENT

Turning firstly to the increase in height of the bungalows from 6.2m to 6.7m in height. In making this change the developer has increased the height elevations to wall plate level while the roof shape and pitch has remained unaltered. This increase is considered a modest change as a proportion of the dwelling's originally approved height and given the separation distances from neighbouring private garden areas and dwellings, it is not considered that this amendment will have a significant impact upon neighbouring occupiers to the detriment of their residential amenities. The internal reconfiguration of each dwelling is relatively minor and would not require planning permission.

With regard to the introduction of obscure glazed window openings in each of the dwellings. In the case of Plot 4, it is noted that this will overlook the front driveway and garden of Plot 5, an area which can already be publicly viewed from the estate road. Furthermore the window which serves a first floor bedroom is obscure glazed therefore clear overlooking of this area is very limited. On this basis it is considered there will not be any significant harm to the privacy of the occupiers of Plot 5 over and above what is currently experienced. Furthermore the occupiers of Plot 5 have raised no objection to the presence of the window facing them.

The unauthorised window relating to Plot 5 is located at first floor level, will serve a bedroom and has been inserted into the north (side) elevation of the dwelling. As referred to in "The Site" section of the report it will face the rear gardens of Nos. 28 and 30 Uwch Gwendraeth and maintain a distance of approximately 5m from their rear boundaries and 32m and 37m respectively from their rear elevations. The window proposed for retention is required as a means of escape from a first floor window therefore will be required to satisfy building regulations. It is noted from the plans and the case officer's inspection that the window it is obscure glazed to prevent clear overlooking of the private garden areas of Nos. 28 and 30. Blinds were also evident from the site inspection. Given that the window is a means of

escape it will be openable and if desired could allow for overlooking into the neighbouring garden area. Notwithstanding this, it is reasonably assumed that the occupier would not wish to be overlooked by Nos. 28 and 30 by fully opening the window and the presence of window blinds suggest that additional means to safeguard privacy have been incorporated. Therefore whilst there could be overlooking into the garden areas of Nos. 28 and 30 which would invade the privacy of the occupiers, it is considered that on balance the obscure glazing of the window and the reasonable expectation that the occupiers of Plot 5 would themselves wish to maintain privacy, will ensure no significant harm to the amenity of neighbouring residential occupiers.

THIRD PARTY REPRESENTATIONS

Turning now to the third party representations received. There is general concern expressed regarding the presence of the obscure glazed window in the north elevation of Plot 5 and the impact this will have on the privacy of private garden areas and habitable space associated with properties to the north. A detailed assessment of the privacy impact has been provided in the 'Assessment' section of the report and is considered to address the concerns of neighbouring occupiers.

One objector has sighted in detail policy extracts which he claims are Council guidelines relating to windows and the separation distances they should maintain. On closer inspection it appears the objector has referred to English planning policy and not that of Carmarthenshire County Council. Furthermore, there is currently no specific extant Council policy providing prescriptive guidelines on window position relative to neighbouring properties.

Concerns also relate to the impact of overlooking from the first floor window in the rear roof plane of Plot 3, however, this is a bathroom window and was built in accordance with the approved scheme.

Reference has also been made to unauthorised culverting work taking place outside of the site, however, there was no evidence of this when the case officer visited the site.

There is concern that the LPA did not carry out the necessary publicity relating to the application. This is not correct, as a site notice was displayed within the estate of Cae Coch and individual letters were sent to the properties of Uwch Gwendraeth that share a common boundary with Plots 4 and 5.

Finally land ownership between the boundaries of the new properties and those belonging to Uwch Gwendraeth has been questioned. This is not a planning matter, nor is it a matter the LPA should resolve. Nevertheless the applicant has provided a land registry plan and title papers to show that he own the land in question. No valid evidence to counter this has been submitted by the objector to show that he owns the land.

CONCLUSION

After careful consideration of the site and surrounding environs, it is considered that the proposal on balance is acceptable and complies with the relevant policies. The increase in height of the two dwellings is considered modest and will not significantly harm the amenities of neighbouring occupiers or the character and appearance of the immediate area. The addition of the obscure glazed window in Plot 4 is also considered acceptable in that it will

not harm the amenities of neighbours, whilst on balance the obscure glazed window at Plot 5 will not significantly harm the privacy of neighbouring residents.

As such the application is put forward with the recommendation of approval subject to conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 21st September 2018.
- 2 The development shall be carried out strictly in accordance with the approved plans and documents received on 30th August 2018, unless otherwise stipulated by conditions, as follows:
 - Block and Location Plan [04] 1:500, 1:1250 @A3;
 - Site Plan [03] 1:100 @A3;
 - Plot 4 – Elevation and Floor Plans [01] 1:100 @A3;
 - Plot 5 – Elevations and Floor Plans [02] 1:100 @A3.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt as to the extent of this permission.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposed development complies with Policy GP1, of the adopted Local Development Plan in that the design and scale of the development does not give rise to significant detrimental impacts in terms of the character and appearance of the area or appear physically overbearing upon neighbouring occupiers. The obscure glazed windows inserted into the east and north elevations of Plots 4 and 5 respectively, are considered on balance acceptable and will not lead to any significant detrimental impact upon the privacy of neighbouring occupiers

NOTE(S)

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

approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

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

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| Application No | W/38027 |
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| Application Type | Full Planning |
| Proposal & Location | CHANGE OF USE OF EXISTING BARN INTO HOLIDAY LET ACCOMMODATION AT PARCNWC, OLD SCHOOL ROAD, LLANSTEFFAN, CARMARTHEN, SA33 5HA |

| | |
|---------------------------|--|
| Applicant(s) | ROBERTS, PARCNWC, OLD SCHOOL ROAD, LLANSTEFFAN, CARMARTHEN, SA33 5HA |
| Agent | SAURO ARCHITECTURAL DESIGN LTD - PETER SAURO, SAURO ARCHITECTURAL DESIGN LTD, 9 ELLISTON TERRACE, CARMARTHEN, SA31 1HA |
| Case Officer | Paul Roberts |
| Ward | Llansteffan |
| Date of validation | 12/11/2018 |

CONSULTATIONS

Head of Transport – Has raised no objection to the application.

Llansteffan and Llanybri Community Council – Has not commented on the application to date.

Local Members – County Councillor C Jones is a member of the Planning Committee and has made no prior comment on the application.

Dwr Cymru/Welsh Water – Has not commented on the application to date.

Neighbours/Public – The application has been publicised with the posting of a site notice to the front of the site. In response, no third party letters of objection have been received to date.

RELEVANT PLANNING HISTORY

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

| | | |
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| D4/2587 | Extension to dairy for milk storage tank Full planning permission | 12 August 1976 |
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APPRAISAL

THE SITE

The application site consists of a detached barn and part of the curtilage of an adjacent farm house located on Old School Road on the outskirts of Llansteffan. The barn forms part of the farmstead of Parcncw Farm being located adjacent to and at right angles to the main farm house. It fronts on to the court yard and parking area of the farmhouse with the farmstead being set at a higher level than the road.

The barn is of a single storey design being rectangular in shape and has a pitched slated roof. It has stonework walls that have been rendered on its front and one side elevation. There is a smaller lean-to structure at the rear of the main barn which is of a similar stone construction and has a sloping roof that is clad with corrugated sheeting.

The front of the barn is characterised by a single door opening and small window with further door and window openings on the side and rear elevations. There is a hardstanding to the rear of the building that is accessed from the courtyard of the farmstead by a gated entrance to the side of the barn. Beyond this is an open field enclosure.

The farmstead includes an additional larger barn structure located to the north of the house and on the opposite side of the courtyard to the application building. There are also a number of further agricultural buildings to the rear of the house which serve the wider holding. The two barns and farmhouse are served by a single access located to the front of the courtyard that is flanked by walling and hedgerows.

The site is located some 70 metres to the north of the development limits of Llansteffan with the surrounding area having a rural character and appearance. The centre of the village is some 500 metres to the south of the site.

THE PROPOSAL

The application seeks full planning permission for the change of use and conversion of the barn to provide holiday let accommodation. The proposal will provide two bedroom accommodation together with a lounge, bathroom and kitchen dining facility. It will include the demolition of the existing lean-to structure to the rear of the main barn and its replacement with a new lean-to structure which is to have a larger footprint. The elevations of the main barn are to consist of a rendered finish to match those of the existing structure while the roof is to be clad with natural slates. The rear lean-to addition is to have timber clad elevations and a grey standing seam roof.

The existing door and window openings of the barn are to be retained as part of the proposal with the rear extension is to having a number of door and window openings to maximise the light to the accommodation therein.

Vehicular access to the converted building will be achieved via the existing access to the courtyard which is to be extended to the side and rear of the building. Provision is made for three parking spaces to the rear of the building as well as a generous amenity area that will be enclosed with post and rail fencing.

The application has been accompanied by a structural survey which confirms that the building is structurally sound. A bat survey report has also been provided which found no evidence of bats in the building.

PLANNING POLICY

In the context of the current development control policy framework the site is outside the development limits of Llansteffan as defined in the adopted Carmarthenshire Local Development Plan (LDP). The following policies of the Plan are relevant to the proposal.

In terms of the Plan's strategic policy context, Policy SP1 promotes environmentally sustainable proposals and encourages, amongst others, the efficient use of vacant, underused or previously developed sites.

Policy GP1 is a general policy which seeks, amongst others, to promote sustainability and high quality design and to ensure that new development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. The policy also requires that development proposals should not have a significant impact on the amenity of adjacent land uses and properties.

Policy TSM4 of the Plan permits proposals for permanent serviced or self-catering visitor accommodation outside the development limits of settlements where they consist of the re-use and adaptation (including conversion) of existing buildings and comply with the requirements of criteria (d) and (e) of Policy H5 of the Plan. This latter policy relates to the adaption and re-use of rural buildings for residential use and permits proposals for the same subject to the building being structurally sound and substantially intact and of sufficient size to accommodate the proposed use without extensive alteration, extension or re-construction. The building should also demonstrate and retain sufficient quality of architectural features and traditional materials with no significant loss of the character and integrity of the original structure.

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

From a national planning policy perspective, paragraph 11.1.1 of Planning Policy Wales (Edition 9 – November 2016) highlights that tourism is vital to economic prosperity and job creation in many parts of Wales. It is seen as a significant and growing source of employment and investment and can be a catalyst for environmental protection, regeneration and improvement in both rural and urban areas. The document confirms the Welsh Government's aim for tourism to grow in a sustainable way to make an increasing contribution to the economic, social and environmental well-being of Wales. Edition 9 – November 2016

THIRD PARTY REPRESENTATIONS

No third party letters of representation have been received to date. The application is presented to Committee on the basis that one of the applicants is a member of staff in the Planning Service.

CONCLUSION

After careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date, the proposal is considered to be acceptable and in accordance with the objectives of the Authority's LDP as well as those of national planning policy. The proposal will involve the re-use and adaptation of an existing building which is of a traditional character and appearance while also being structurally sound and capable of conversion without extensive alteration. The scheme is sensitive to the appearance of the existing building in retaining existing fenestration and original features while the design and finishes of the rear lean-to addition will also complement its overall appearance.

The proposal will provide a beneficial economic use for a vacant and underused agricultural building and assist in encouraging visitors to the local area. In this regard it will have a positive economic impact upon the wider rural economy wherein it is located. Furthermore, the proposal is sustainable in that it is located within walking distance of the services and facilities within Llansteffan while also having no unacceptable impact upon the appearance of the surrounding area or amenity of adjacent land uses and occupiers. There are also no highway objections to the proposal.

The proposal is therefore considered to be in accord with the abovementioned policy objectives of the Authority's LDP and those of national planning policy and is therefore put forward with a favourable recommendation.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of two years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information:-
 - Site location plan (LP-01) received on 25 August 2018;
 - Existing floor plans and elevations (01B) received on 4 December 2018;
 - Proposed floor plans and elevations (06.B) received on 1 November 2018;
 - Site block plan (02B) received on 1 November 2018;
 - Bat survey report prepared by I & G Ecological Consulting received on 25 August 2018;
 - Structural Appraisal Report prepared by MW Consulting dated 16 August 2018 and received on 25 August 2018.
- 3 The development hereby approved shall be undertaken in strict accordance with the recommendations contained in the sections 4.2 and 5 (conclusions and recommendations & outline method statement for planning) of the bat survey report prepared by I & G Ecological Consulting received on 25 August 2018.
- 4 The development hereby approved shall be occupied as holiday accommodation only and not be occupied as a person's sole or main residence.

- 5 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the detail shown prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 6 Notwithstanding the provisions of the Town and Country Planning, Wales (General Permitted Development) (Amendment) (Wales) Order 2013 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D and E shall be carried out within the curtilage of the holiday unit hereby approved (other than those expressly authorised by this permission) without the prior written consent of the local planning authority.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls other than those shown on the plans herewith approved shall be erected within the curtilage of the development hereby approved without the prior written consent 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 clarity as to the extent of the permission.
- 3 In order to ensure that there is no detriment to the maintenance of the favourable conservation status of Bat species.
- 4 In order to preclude the permanent occupation of the development.
- 5 In the interests of highway safety.
- 6+7 In the interests of the visual amenity of the surrounding area.

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 SP1 of the LDP in that it is environmentally sustainable and will involve the re-use of a vacant and underused building.
- The proposal complies with Policy GP1 of the LDP in that it is appropriate in terms of scale and will not cause unacceptable loss of amenity to neighbouring properties.
- The proposal complies with Policy TRS3 of the LDP in that it will not adversely affect highway safety or residential amenity.

- The proposal complies with Policies TSM4 of the of the Carmarthenshire Local Development Plan in that it will involve the reuse of an existing underused building which is of a traditional character and appearance and is structurally sound and capable of conversion without extensive alteration.

NOTE(S)

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

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

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

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

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

APPLICATIONS RECOMMENDED FOR REFUSAL

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| Application No | W/37164 |
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|--------------------------------|--|
| Application Type | Discharge of Section 106 Agreement |
| Proposal & Location | DISCHARGE OF SECTION 106 AGREEMENT ATTACHED TO PLANNING PERMISSION W/02153, WHEREBY THE RESIDENTIAL USE OF THE EXISTING FARMHOUSE WAS TO BE CEASED AND FOR THE HOUSE TO BE USED FOR AGRICULTURAL STORAGE INSTEAD AT CYSTANOG FARM, CAPEL DEWI ROAD, LLANGUNNOR, CARMARTHEN, SA32 8AY |

| | |
|---------------------------|---|
| Applicant(s) | MR D E WILLIAMS, CYSTANOG FARM, CAPEL DEWI ROAD, LLANGUNNOR, CARMARTHEN, SA32 8AY |
| Agent | JCR PLANNING LTD - RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, SA14 6RE |
| Case Officer | Stuart Willis |
| Ward | Llangunnor |
| Date of validation | 27/04/2018 |

CONSULTATIONS

Llangunnor Community Council – The community council were not directly consulted on this application, nevertheless have written in raising no objection to this application.

Legal Services Division – The legal agreement still serves a useful purpose in land use planning terms. It is arguable that whilst the farmhouse may not be capable of fulfilling the storage requirements under the terms of the agreement the purpose of the agreement in land use planning terms was to prevent the farmhouse being used for residential occupation as a replacement farmhouse was to be provided instead.

Neighbours/Public – No public consultation was carried out on this application. It does not relate to a development proposal, but modifying a legal agreement and on this basis public consultation was not considered a requirement. This application seeks to modify a covenant forming part of the legal agreement that pertains to the site and approval number W/02153.

RELEVANT PLANNING HISTORY

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

| | | |
|----------|--|------------------|
| PA/15828 | Change of use from agricultural storage to dwelling With replacement rear and side extension Pre-Application - Statutory | 19 December 2017 |
| W/03095 | Breswylfa ailosod replacement dwelling Reserved Matters Granted | 10 January 2000 |
| W/02153 | Replacement farm house Outline planning permission S106 Signed - Cessation of Use (building/land) | 30 June 1999 |

APPRAISAL

The application is being reported to committee as the applicant is a local member.

THE SITE

The application site comprises a dilapidated farmhouse set amongst a collection of farm buildings associated with Cystanog Farm, Capel Dewi. A modern storage extension adjoins the farmhouse forming an L shape footprint. The site is accessed via a narrow track off Capel Dewi Road and is located approximately 3 miles to the east of Carmarthen. The farm buildings around the derelict farmhouse showed little sign of use upon inspection by the case officer.

Approximately 90m to the south east of the derelict farmhouse is a modern detached bungalow set within spacious grounds. The planning history for the site reveals that the detached bungalow was approved in 1999 (W/02153 refers) as a replacement to the farmhouse, albeit some 90m to the south east. The committee report relating to this decision details that the detached bungalow was justified in accordance with Policy CH12 ("Replacement Dwellings") of the then local plan and that a legal agreement was considered necessary to rescind the residential rights of the existing farmhouse. Therefore a S.106 legal agreement was entered into by the applicant to ensure the owner covenants to cease the use of the existing farmhouse prior to construction of the bungalow. The legal agreement also states that the former farmhouse shall only be used of agricultural storage.

THE PROPOSAL

Permission is sought to modify the legal agreement on the existing disused farmhouse by removing the covenant on the farmhouse that currently limits its use to storage. This is not therefore a proposal for the change of use of the land or a building operation, rather to remove a restriction of the legal agreement.

The Applicant's Case

In justifying the proposed modification to the legal agreement the applicant's agent states that since being vacated, the farmhouse has not fulfilled any meaningful use. It has not been used for a form of agricultural storage in accord with the obligations of the Section 106 Agreement. He then goes on to state that Welsh Office Circular 13/97 "Planning Obligations" provides guidance as to the discharge/removal of such Agreements under Annex C. Such formal discharge may be sought if a period of five years has elapsed since completion of the Agreement, which has occurred in this case.

Although not sighting any particular cases, the agent maintains, that case law refers to the general requirement as to whether the Agreement still fulfils its original intention/purpose. In the case of the Agreement at Cystanog, it should be noted that a period of some 18 years has elapsed since the Agreement was completed. The farmyard at Cystanog no longer fulfils any meaningful agricultural role in the agent's view.

The Agent suggests that the other outbuildings adjacent to the site are better suited to providing storage as the former house is two-storey, with traditional entrance doors and window openings, and thus not capable of readily providing access for livestock, nor modern agricultural equipment, plant or machinery.

The agent concludes by stating that the planning obligation has outlived its usefulness, and accordingly no longer serves any intended use.

PLANNING POLICY

In the context of the current development control policy framework the most relevant planning policy is Policy GP3 (Planning Obligations) of the adopted Carmarthenshire Local Development Plan Adopted December 2014. This states that the Council, where necessary seek developers to enter into Planning Obligations (Section 106 Agreements)...to meet requirements arising from new developments.”

Whilst there is nothing specific in the policy relating to proposals for modifications to existing legal agreements, the policy states that obligations should be necessary, reasonable and relevant to the development of the site from a planning perspective.

For specific guidance on modifications to legal agreements, the policy test is outlined in Annex C (Welsh Office) Circular 13/97 relating to Planning Obligations.

Annex C6 states ‘Section 106A (6) provides that an authority which receives an application for modification or discharge of a planning obligation may determine it by refusing it; or, if the obligation no longer serves any useful purpose, by discharging it, or, if the obligation would serve a useful purpose equally well with the modifications specified by the applicant, by consenting to the modifications sought. The Department considers that the expression “no longer serves any useful purpose” should be understood in land use planning terms. Thus, if an obligation's only remaining purpose is to meet some non-planning objective it will generally be reasonable to discharge it’.

ASSESSMENT

Applications for replacement dwellings in the countryside will normally involve the demolition of redundant/sub-standard dwellings before the construction or occupation of the replacement house. This would normally be secured by a planning condition. In this instance the replacement bungalow was distant from the original farmhouse and outside of the application site, therefore its future use was secured by the legal agreement and required to be used for storage. Therefore there is a presumption that the dwelling being replaced should cease its residential function. To continue the residential function would be tantamount to a further dwelling in the countryside without any justification and against open countryside policy.

Having regard to the above policy test outlined in Circular 13/97 and the case presented by the applicant, it is arguable that whilst the farmhouse may not be capable of fulfilling the storage requirements under the terms of the agreement the purpose of the agreement in land use planning terms was to prevent the farmhouse being used for residential occupation as a replacement farmhouse was to be provided instead. It is clear from the agreement that the new dwelling was being referred to as a replacement farmhouse so there was no policy justification at the time for retaining the existing farmhouse. With the replacement dwelling having been constructed some 18 years ago in open countryside outside development limits and 90 metres from the curtilage of the previous farmhouse there would still be little evidence in land use planning terms to justify the lifting of the covenant. Therefore it is considered the legal agreement relating to W/02153 still meets a planning objective.

The consequences of removing the covenant would be against the original intentions of the replacement dwelling policy. Allowing the modification as proposed, would set an undesirable precedent and this decision could be used to justify the removal of similar covenants relating to replaced dwellings elsewhere in the county. Members are therefore advised to refuse the modification proposed.

The applicant's argument that the former farmhouse is impractical for storage is noted, however, little evidence has been put forward to show what attempt have been made to modify the structure for storage purposes i.e. remove internal partitions, widening of door and window openings etc.

THIRD PARTY REPRESENTATIONS

There have been no third party representations.

CONCLUSION

After careful consideration of the justification for the modification to the legal agreement against the test outlined in Circular 13/97, it is considered that to take out the covenant restricting the former farmhouse to storage use would remove the land use planning objective of the legal agreement i.e. to cease the use of the original farmhouse for residential purposes. The modification to the legal agreement is refused.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposed modification to the legal agreement relating to W/02153 in removing the covenant restricting the redundant farmhouse to storage use, is contrary to Section C6 of Annex C of Circular 13/97 (Welsh Office):-

C6 Section 106A (6) provides that an authority which receives an application for modification or discharge of a planning obligation may determine it by refusing it; or, if the obligation no longer serves any useful purpose, by discharging it, or, if the obligation would serve a useful purpose equally well with the modifications specified by the applicant, by consenting to the modifications sought. The Department considers that the expression “no longer serves any useful purpose” should be understood in land use planning terms. Thus, if an obligation's only

remaining purpose is to meet some non-planning objective it will generally be reasonable to discharge it'.

In that it will remove a covenant within the legal agreement that ensures the original dwelling's residential use is rescinded and therefore in keeping with the original and current policy intentions for replacement dwellings in the countryside. The legal agreement still serves a useful purpose in land use planning terms thus complying with the circular.

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| Application No | W/37267 |
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| Application Type | Outline |
| Proposal & Location | ERECTION OF 2.NO 3 BED DWELLINGS (1 AFFORDABLE, 1 OPEN MARKET) AT LAND ADJACENT TO LLYS BRIALLU, SARNAU, BANCYFELIN, SA33 5EA |

| | |
|---------------------------|---|
| Applicant(s) | MR D THOMAS, PONTCOWIN, BANCYFELIN, ST CLEARS, SA33 5NB |
| Agent | HARRIES PLANNING DESIGN MANAGEMENT - WYN HARRIES, HENLLAN, EGLWYSWRW, PEMBROKESHIRE, SA41 3UP |
| Case Officer | Stephen Thomas |
| Ward | Cynwyl Elfed |
| Date of validation | 18/05/2018 |

CONSULTATIONS

Head of Highways and Transport – Has concerns over visibility standards at the location of the proposed access from the site in a westerly direction. There is also concern with regard to forward visibility for vehicles travelling eastbound on the approach to the site for the proposed indicative access.

Finally, concern that the proposed development is contrary to Policy TR3, paragraphs a, b and e. Bus stops are located some 200 metres east of the site, however, there is a lack of pedestrian facilities linking the site to these, where the closest footway is located some 125 metres east of the site. Further to this the settlement of Bancyfelin is 800 metres to the west and the closest footway some 600 metres. The development will therefore result in increased pedestrian movements in the carriageway where vehicle speeds are currently high.

Newchurch & Merthyr Community Council – No objection to the application but highlighted the following points:-

- The development should be sympathetic to the existing properties in the area;
- All buildings should follow the existing building line;
- The speed and volume of traffic on the highway fronting the development with consideration given to reducing the speed limit due to the increase in the volume of traffic following developments in Bancyfelin village, increase in traffic generally and the use of this road as a diversion to the A40 in emergency;

- The lack of provision for pedestrians from the Sarnau hamlet to Bancyfelin village with consideration given to construction of footpath/pavement to join the existing pavement to Sarnau to the pavement at Bancyfelin;
- A requirement to improve provision for pedestrians under the railway bridge between the hamlet and the village due to increased traffic and pedestrian usage.

Local Member - County Councillor Irfon Jones has requested that the application be presented to the Planning Committee due to the number of objections to the proposal.

Natural Resources Wales – No objections to the proposed development.

Neighbours/ Public – The original application as submitted was publicised by the posting of a public notice close to the highway access to the application site. In response, the Authority had received letters of concern from four neighbouring homes and a petition with twenty names. These representations raised the following issues:-

- The petition raised the issue over the lack of pedestrian facilities between the hamlet of ‘Sarnau’ and the nearest village of Bancyfelin, where the speed limit is the national speed limit on a road where there is continuous traffic.
- Three of the letters are in relation to a private right of way through the application site to the rear of their properties to allow emptying of septic tanks/cess pits.
- The remaining letter is from the occupiers of a neighbouring property and concerns are expressed in relation to a number of issues that include:
 - (i) The submitted plans show the proposed dwellings respecting the existing ‘building line’, but the garages are shown as being in front of that building line. Would there be a possibility of the proposed garages being relocated alongside the proposed dwellings therefore respecting the building line?
 - (ii) Requests assurances that the proposed soakaways for the properties are adequate for the location and will be efficient, due to existing problems experienced during heavy rainfall where there is standing water.
 - (iii) There is no mains sewerage system in the area. No septic tanks are shown on the outline plans. There are existing septic tanks to the rear of the application site for properties in the street.
 - (iv) The application states that the services in Bancyfelin are within easy walking distance of the proposed properties. The representation highlights that the highway is the subject of the national speed limit and is a busy road with continuous traffic accessing the facilities in Bancyfelin, with the further development of the village likely to increase traffic flows
 - (v) The application states that “proposed footway along the frontage of the plot will aid in linking up local infrastructure”. The representation states that the plot is 1km away from Bancyfelin village where there is no safe footway and no plans for a link.
 - (vi) There is currently a bend in the road that causes reduced visibility conditions at the access.

- (vii) Questions the location of the affordable dwelling and the mechanism for ensuring that it is safeguarded for the future.
- (viii) The representation questions the method of giving publicity to the application as the neighbouring property did not receive a letter of notification.

The application was subsequently amended to take into consideration some of the issues raised in the submitted representations. The application was again publicised in the same way. There were no further representations received.

RELEVANT PLANNING HISTORY

The following relevant planning application has previously been received on the application site:-

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|---------|---|-------------|
| W/35313 | Erection of two dwellings (one affordable and one open market) Withdrawn | 19 May 2017 |
|---------|---|-------------|

APPRAISAL

THE SITE

The application site is located in the south western corner of a field that fronts on to the former A40 trunk road, now known as the C2042. The application site itself is sited on the western fringe of a row of houses known locally as 'Sarnau'. The site itself is fairly level to the highway and is currently under pasture with a hedgebank to the highway to its south and the boundary to the east with 'Llys Briallu'. The application site boundaries to the west and to the north are currently open.

The application site is roughly rectangular, but narrows towards the rear northern boundary. It measures approximately 44 metres along the roadside southern boundary and approximately 35 metres along its northern boundary to the remainder of the field. The site measures approximately 50 metres along its western boundary and approximately 48 metres along its eastern boundary with Llys Briallu. To its east there is an existing ribbon of dwellings that are mainly detached properties, however, further east there are a pair of semi-detached dwellings and a terrace of five dwellings.

To the west of the application site is the remainder of the field with a further agricultural field beyond.

Although the site is located attached to the western end of the existing row of dwellings known locally as 'Sarnau' The site is not adjacent to a settlement that is recognized as a Sustainable Community in the adopted Carmarthenshire Local Development Plan. It is therefore considered that the application site is located in an open countryside location.

THE PROPOSAL

The application seeks outline planning permission for the erection of 2 no. 3 bed dwellings (1 Affordable, 1 Open Market) on the application site, with all matters of detail reserved for future consideration. The proposed dwellings is to have three bedrooms, as the application

describes. As required of outline applications scale parameters have been provided for the proposed dwellings:-

Height 7 – 9 metres;
Width 9 – 13 metres;
Length 10 – 15 metres.

In accordance with the requirements for the validation of outline planning applications, where layout is a reserved matter, the application must state the approximate location of buildings, routes and open spaces included in the development proposed. Accompanying the application is an indicative block plan showing the location of the proposed dwellings, together with access route and open space within the site. Where access is a reserved matter, the application must state the area where access points to the development proposed will be situated. The submitted block plan shows access points to both properties at approximately the mid-point along the frontage of the application site.

The application is also supported by a Support Statement and a Local Needs Statement.

PLANNING POLICY

The application site, as previously mentioned, is located in open countryside and therefore there is a general presumption against new dwellings in such locations, unless exceptional circumstances can be demonstrated. Such exceptional circumstances usually include providing accommodation for rural enterprise workers e.g. agriculture or forestry as well as those to meet genuine local needs at a location within hamlets or a group of dwellings.

Since one of the proposed dwellings on this site is for an open market dwelling, there are no specific relevant policies within the adopted County Local Development Plan that deal with dwellings in open countryside locations, however, in order to allow discussions over the merits of this case the following policies of the Carmarthenshire Local Development Plan are considered relevant to the proposal as well as those other relevant Welsh Government Guidance.

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 integrate with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure.

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

Policy GP1 – Sustainability and High Quality Design 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.

Other Welsh Government Guidance of relevance include:-

Planning Policy Wales (9th Edition) November 2016 (PPW)
Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010)
Technical Advice Note 12 (TAN 12: Design (2014)

The other dwelling proposed in the application is for an affordable dwelling there is an additional policy that is relevant, which is Policy AH3 of the Carmarthenshire Local Development Plan.

Policy AH3 – Affordable Housing – Minor Settlement in the Open Countryside allows for proposals in the open countryside for affordable housing for a single dwelling within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need and provided that it complies with a number of criteria that are included within the Policy.

APPRAISAL

In considering this proposal there are a number of policies that are common to both the proposed open market dwelling and the proposed affordable dwelling since the location of both are in the open countryside.

The key considerations of relevance to this case are whether the proposal complies with the requirements of Planning Policy Wales (PPW) (9th edition) and Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN6), in terms of dwellings in open countryside, outside the defined development limits of any recognized settlements and its impact upon the character and appearance of the area.

In terms of PPW new houses in the countryside, away from existing settlements or from areas allocated for development must be strictly controlled in order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services. Specifically paragraph 9.2.22 states:

“In planning for housing in rural areas it is important to recognize that development in the countryside should embody sustainability principles, benefitting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognizing the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognized in development plans or from other areas allocated for development, must be strictly controlled.....”

Furthermore, paragraph 9.3.6 of PPW also discusses that new housing in the open countryside should be strictly controlled and under what exceptional circumstances rural dwellings may be considered. It states:

“New House building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be obtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area. Isolated new houses in the open countryside require special justification, for example

where they are essential to enable rural enterprise workers to live at or close to their place of work in the absence of nearby accommodation. All applications for new rural enterprise dwellings should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access....”

TAN6 further reinforces these principles where it states in paragraph 4.3.1:

“One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.”

The application site is located in an open countryside location, outside the defined development limits of any recognized settlement. Therefore, the policy is to strictly control the construction of new dwellings in such a location, unless there are exceptional circumstances, well supported by robust evidence that stands up to scrutiny. In this case the proposal for the affordable dwelling will be considered under Policy AH3 as mentioned previously and will be assessed in following paragraphs. The only justification given for the open market dwelling in the supporting statement is that it will serve two purposes in that it is required to cross subsidise the affordable unit and is also a mechanism to deliver much needed housing to remedy the shortfall in housing supply in the plan area. The support statement states that in the Joint Housing Land Availability Study Carmarthenshire identifies a 4.2 year supply of housing land (August 2016), where there is a requirement to provide a 5 year supply of housing land. This is identified in the Support Statement as representing a significant shortfall in the supply of housing land, which should be material in any decision.

The issue here is the balance of whether these material considerations should override the policy considerations. In the case of the open market dwelling it is considered that the weight of the material considerations is not sufficient to overrule the policy reflecting the need to strictly control developments in open countryside.

In respect of the proposed affordable dwelling the proposal needs to be considered on the basis of the provisions of Policy AH3. The Policy allows for the provision in the open countryside for affordable housing for a single dwelling within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need and provided that it complies with a number of identified criteria. The proposed affordable dwelling is to be located adjacent to a group of dwellings that are locally known as ‘Sarnau’, which is not recognized as a settlement within the Carmarthenshire Local Development Plan and does not have Development Limits. The submitted Local Needs Statement demonstrates that the proposed occupants of the affordable dwelling qualify under the Local Plan’s definition of a local need. This is due to the occupiers’ long-standing link with the community and their having a proven functional need to live close to their place of work. Furthermore the proposed occupants have carried out a property search for properties within the Bancyfelin and St Clears area. It is stated that the proposed occupants are not able to afford the asking price or crucially raise the requisite deposit required to attain

a mortgage leaving the construction of a self-build local needs dwelling the only viable option.

Turning to the criteria included within Policy AH3, the proposed affordable dwelling represents a minor extension to the group of dwellings, however, it does result in perpetuate existing ribbon development, in that the existing group of dwellings stretch out along the highway in a ribbon formation. It is therefore considered that the proposal fails to comply with the first criterion within the Policy.

In terms of scale, it is difficult to determine whether the proposal represents a development of a scale and size appropriate to, and in keeping with the character of the area since it is in outline form only. In terms of scale the parameters given are wide in that the footprint of the dwelling could vary between 90 square meters and 195 square meters. This could mean that a two storey dwelling may be compatible with the character of other dwellings within the cluster.

The dwelling's affordability could be retained for all subsequent occupants via the utilization of a Section 106 Agreement, stating the intended purpose.

Since the application has been submitted in outline form it is difficult to determine that the scale and design of the dwelling is compatible with an affordable dwelling as insufficient information is submitted to enable that determination to take place.

For the above considered reasons the proposed dwellings should not be supported and the recommendation is that the application be refused.

THIRD PARTY REPRESENTATIONS

In this case there are no issues of objection that have been raised by third parties in respect of the planning application however, there are issues that have been raised in terms of civil matters that cannot be considered in the determination of this application such as the right of way to empty the septic tanks for existing properties.

The issue of the distance to the nearest settlement with facilities is material to this case, particularly the possibility of conflict between fast moving traffic and pedestrians in the highway due to the lack of a footway linking the site to Bancyfelin, where the primary school is located. It is therefore considered that the proposal represents an unsustainable form of development that would encourage the increased use of the car and discourage the use of a more sustainable form of transport.

The issue of the building line has been overcome in the form of an amended plan that was the subject of further publicity, which resulted in none of the letters of concern being repeated.

In respect to foul water and surface water drainage, these are matters that can be dealt with in any reserved matters application and conditions should the application be granted outline planning permission.

CONCLUSION

Therefore, having carefully considered the application as submitted, the proposed open market dwelling, by reason of its location, fundamentally conflicts with the advice set out in

PPW and insufficient justification has been provided to permit the dwelling as an exception to these policies. Furthermore, it is considered that the proposed affordable dwelling, whilst identifying an apparent genuine local need, fails to conform to some of the criteria within policy AH3 both in terms of location and scale.

It is not considered in this instance that material planning considerations outweigh these concerns and therefore it is recommended that the application be refused for the following reasons.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to paragraph 9.2.22 of Planning Policy Wales (Edition 9, November 2016) which states:-

9.2.22 In planning for housing in rural areas it is important to recognise that development in the countryside should embody sustainability principles, benefiting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognising the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. Many parts of the countryside have isolated groups of dwellings. Sensitive filling in of small gaps, or minor extensions to such groups, in particular for affordable housing to meet local need, may be acceptable, but much depends upon the character of the surroundings, the pattern of development in the area and the accessibility to main towns and villages.

In that the development site is located outside the defined settlement limits of any recognised settlement where new house building should be strictly controlled. Insufficient justification has been provided to support the case for an affordable dwelling and an open market dwelling in such a location. Therefore, the proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area and will perpetuate existing ribbon development.

- 2 The proposal is contrary to paragraphs 9.3.6 of Planning Policy Wales (9th edition, November 2016) which state:-

9.3.6 New house building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be unobtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area. Isolated new houses in the open countryside require special justification, for example where they are essential to enable rural enterprise workers to live at or close to their

place of work in the absence of nearby accommodation. All applications for new rural enterprise dwellings¹⁹ should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access. Local planning authorities should follow the guidance in TAN 6 with regard to the requirements for rural enterprise dwelling appraisals.

In that the development site is not located within a recognised settlement and therefore in the open countryside where new house building should be strictly controlled. Insufficient justification has been provided to support the case for an affordable dwelling and an open market dwelling in such a location. Therefore, the proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 3 The proposal is contrary to paragraph 4.3.1 of Planning Policy Wales Technical Advice Note 6: Planning for Sustainable Rural Communities, which states:-

4.3.1 One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any of the individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.

In that the development site is located in the open countryside where new house building is strictly controlled. Insufficient evidence has accompanied the application justify a dwelling in such a location in accordance with the requirements of Policy AH3 of the Carmarthenshire Local Development Plan. Therefore, the proposal represents a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 4 The proposal is contrary to Policy AH3 “Affordable Housing – Minor Settlement in the Open Countryside” of the Carmarthenshire Local Development Plan, which states:-

Policy AH3 Affordable Housing – Minor Settlement in the Open Countryside

Proposals in the open countryside for affordable housing for a single dwelling will be permitted within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:

- a. **It represents sensitive infill development of a small gap within an otherwise continuous built up frontage; or, a minor extension which**

does not result in ribbon development or perpetuate existing ribbon development;

- b. It is of a scale and size appropriate to, and in keeping with (and not detrimental to) the character (including landscape and townscape) of the area;**
- c. The benefits of the initial affordability will be retained for all subsequent occupants;**
- d. It is of a size, scale and design compatible with an affordable dwelling and is available to those on low or moderate incomes.**

In that the development site is located in the open countryside where new house building is strictly controlled. It is considered that the proposed affordable dwelling is unjustified in its proposed location due to it resulting in perpetuating existing ribbon development and that insufficient information has been provided to show that it is of a size, scale and design compatible with an affordable dwelling.

- 5 The proposal is contrary to Policy TR3 “Highways in Developments – Design Considerations” of the Carmarthenshire Local Development Plan, which states:-

Policy TR3 Highways in Developments - Design Considerations

The design and layout of all development proposals will, where appropriate, be required to include:

- a. An integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport;**
- b. Suitable provision for access by public transport;**
- c. Appropriate parking and where applicable, servicing space in accordance with required standards;**
- d. Infrastructure and spaces allowing safe and easy access for those with mobility difficulties;**
- e. Required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced;**
- f. Provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.**

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.

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

In that the development does not provide for an integrated network of convenient and safe pedestrian route which promotes the interests of pedestrians, cyclists and public transport; it does not include suitable provision for access by public transport; nor does it provide an access to the required standards reflective of the relevant Class of road and speed restrictions including visibility splays. Bus stops are located some 200 metres east of the site, however, there is a lack of pedestrian facilities linking the site to these, where the closest footway is located some 125 metres east of the site. Further to this the settlement of Bancyfelin is 800 metres to the west and the closest footway some 600 metres. The development will therefore result in increased pedestrian movements in the carriageway where vehicle speeds are currently high, to the detriment of highway safety.

ADDITIONAL ITEMS

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|-----------------------|----------------|
| Application No | W/35898 |
|-----------------------|----------------|

| | |
|--------------------------------|--|
| Application Type | Full Planning |
| Proposal & Location | CONSTRUCTION OF COMMERCIAL GARAGE/WORKSHOP FOR SARNAU MOTORS AT FIELD ADJ HAFOD BAKERY, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN |

| | |
|---------------------------|---|
| Applicant(s) | MRS MAIR JONES, LLYS Y COED, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DZ |
| Agent | HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ |
| Case Officer | Helen Rice |
| Ward | Cynwyl Elfed |
| Date of validation | 27/07/2017 |

The determination of this application was initially deferred at the Planning Committee on 15th November 2018 for a site visit that took place on 27th November 2018. At the subsequent Planning Committee meeting on 27th November, Members resolved to overturn the Officer's recommendation for refusal and grant planning permission for the proposed development, with a list of appropriate conditions to be returned to the Committee for ratification.

The following conditions, which reflect the observations of the Head of Transport and Head of Public Protection received in response to the application, along with need to secure suitable landscaping and drainage, are deemed appropriate to be imposed on the planning permission and are put forward for the Committee's consideration.

RECOMMENDATION – APPROVAL

CONDITIONS

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

- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
- 1:1250 scale Location Plan received 12th October 2018;
 - 1:500 scale Block Plan received 12th October 2018;
 - 1:500 scale Access Visibility Splays received 15th August 2018;
 - 1:100 scale Proposed Garage Elevations and Floor Plan received 2nd May 2018;
 - 1:2500 scale Land Ownership Plan received 6th October 2017;
 - 1:100 scale Proposed Elevations received 27th July 2017;
 - 1:500 scale Section Through Existing Field & Section Y-Y received 27th July 2017;
 - 1:100 scale Proposed Ground Floor Plans and Section received 27th July 2017;
- 3 No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be kept and set out measures for their protection throughout the course of development.
- The landscaping scheme shall also provide details (including a method statement) of the required translocation of the hedgerow behind the line if the access visibility splay along with details of the proposed landscaping along the side (west) and rear (north) boundaries.
- 4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5 Prior to its use by vehicular traffic, the new access shall be laid out and constructed with 7.3 metre carriageway, and 10.0 metre kerbed radii at the junction with the C2081 road.
- 6 Any access gates shall be set back a minimum distance of 10.0 metres from the highway boundary, and shall open inwards into the site only.
- 7 The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 10 metres from the edge of the carriageway.
- 8 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 169 metres shall be formed and thereafter retained in perpetuity, to the west side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.
- 9 Prior to any use of the access by vehicular traffic, a visibility splay of access metres x 185 metres shall be formed and thereafter retained in perpetuity, to the east side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.
- 10 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained

unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

- 11 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 12 The access shall be hard surfaced in a bonded material for a minimum distance of 10.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
- 13 No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first commercial use of the development and retained in perpetuity.
- 14 The rating level of the noise emitted from the proposed development shall not exceed the existing background noise level. The noise levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound. Where the background noise levels shall be expressed as LA90 1hr and the ambient noise levels shall be expressed at Laeq 1hr.
- 15 If the authority receives a justified complaint with respect to the development, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to BS 4142: 2014 Methods for rating and assessing industrial and commercial sound to determine whether noise arising from development exceeds the level specified in condition 14 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Condition 14 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in condition 14. The development shall then be undertaken in accordance with the approved details

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To define the extent of the permission.
- 3-4 In the interest of visual amenity.
- 5-12 In the interest of highway safety.
- 13 To secure the provision of an appropriate drainage strategy.
- 14-15 In the interest of the amenities of the occupiers of the nearby residential properties.

NOTES

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

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

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

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

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

PWYLLGOR CYNLLUNIO Eitem Rhif 7

Dydd Iau, 15 Tachwedd 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, D. Jones, H.I. Jones, M.J.A. Lewis, K. Lloyd, K. Madge, B.D.J. Phillips, J.G. Prosser, J.E. Williams a A. Lenny

Hefyd yn bresennol:

Y Cyngorydd D.T. Williams a fu'n annerch y Pwyllgor mewn perthynas â chais cynllunio W/37518;

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

J. Edwards, Rheolwr Datblygu a Threftadaeth Adeiledig
S. Murphy, Uwch-gyfreithiwr
G. Noakes, Uwch-swyddog Rheoli Datblygu [Rhanbarth y Dwyrain]
K. James, Peiriannydd Cynorthwyol (Cydgysylltu Cynllunio)
G. Glenister, Swyddog Rheoli Datblygu
C Davies, Swyddog Rheoli Datblygu
Z.A. Evans, Uwch-dechnegydd (Cydgysylltu Cynllunio)
M.S. Davies, Swyddog Gwasanaethau Democraidd

Y Siambr, Neuadd y Sir: 10.00 am - 12.15 pm

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr C. Jones a G.B. Thomas.

2. DATGAN BUDDIANNAU PERSONAL

| Y Cyngorydd | Rhif y Cofnod | Y Math o Fuddiant |
|-------------|--|---|
| K. Lloyd | 5.1 Cais Cynllunio - W/37518 - Amrywio Amod 2 o W/35339 er mwyn newid uchder tŷ i alluogi'r atig i gael ei ddefnyddio fel ystafell snwcer at ddefnydd personol ar lain ger Cwm Parc, Peniel, Caerfyrddin, SA32 7HT | Yn adnabod yr ymgeisydd; |
| K. Lloyd | 5.1 Cais Cynllunio – W/37871 – Gosod plac glas ar y ffasâd blaen i goffâu Alice Abadam (1856-1940) ym Mhorth Angel, 26 Heol Picton, Caerfyrddin, SA31 3BX | Bu'r Cyngorydd Lloyd yn bresennol pan ddadorchuddiwyd y plac (cafodd y plac wedyn ei dynnu i ffwrdd cyn i benderfyniad gael ei wneud ynghylch y cais presennol am Ganiatâd Adeilad Rhestredig); |

| | | |
|----------|---|--|
| A. Lenny | 5.1 Cais Cynllunio – W/37871 – Gosod plac glas ar y ffasâd blaen i goffâu Alice Abadam (1856-1940) ym Mhorth Angel, 26 Heol Picton, Caerfyrddin, SA31 3BX | Byddai'r plac yn cael ei osod ar eiddo'r Cynghorydd Lenny. |
|----------|---|--|

3. RHANBARTH Y DWYRAIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

PENDERFYNWYD caniatáu'r cais cynllunio canlynol, yn groes i argymhelliad y Pennaeth Cynllunio, gan ystyriwyd ei fod yn cyd-fynd â Nodyn Cyngor Technegol (TAN) 6 a Pholisi GP1:

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|---------|--|
| E/37466 | Adeiladu sied amaethyddol a thrac mynediad ar gyfer storio offer fferm, gwair a bwyd anifeiliaid ar dir ger Bron yr Haul, Llansawel, Llandeilo, SA19 7PE |
|---------|--|

4. RHANBARTH Y DE - PENDERFYNU AR GEISIADAU CYNLLUNIO

PENDERFYNWYD YN UNFRYDOL ganiatáu'r ceisiadau cynllunio canlynol yn amodol ar yr amodau yn adroddiad/atodiad y Pennaeth Cynllunio:

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|---------|--|
| S/36098 | Datblygu 2 breswylfa ar dir ar Heol Bronallt, Yr Hendy, Abertawe, SA4 0UD |
| S/36934 | Adeiladu 48 uned breswyl ynghyd â gwaith tirweddu a mynediad cysylltiedig ar dir i'r dwyrain o Heol y Plas, Llannon, Llanelli SA14 6AX [SYLWER: Mae awdurdod wedi'i ddirprwyo i'r Pennaeth Cynllunio gytuno ar fanylion cyswllt priodol i gerddwyr wrth ymgynghori â Swyddogion Priffyrdd a chytuno ar unrhyw ddiwygiadau dilynol i'r cynllun.] |
| S/37753 | Newid defnydd gosodiadau preswyl i fod yn 2 fflat 1 ystafell wely a 2 fflat 2 ystafell wely yn Avenue Villas, Stryd Lloyd, Llanelli, Sir Gaerfyrddin, SA15 2PU |

5. RHANBARTH Y GORLLEWIN - PENDERFYNU AR GEISIADAU CYNLLUNIO

5.1 PENDERFYNWYD caniatáu'r ceisiadau cynllunio canlynol yn amodol ar yr amodau yn Adroddiad/Atodiad y Pennaeth Cynllunio a/neu y rhoddyd gwybod amdanynt yn y cyfarfod;

| | |
|-----------------------|--|
| <p>W/37518</p> | <p>Amrywio Amod 2 o W/35339 er mwyn newid uchder tŷ i alluogi'r atig i gael ei ddefnyddio fel ystafell snwcer at ddefnydd personol ar lain ger Cwm Parc, Peniel, Caerfyrddin, SA32 7HT</p> <p>[Sylwer: Gan ei fod wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd y Cynghorydd K. Lloyd Siambr y Cyngor cyn i'r Pwyllgor ystyried y mater a phenderfynu arno.]</p> <p>Cafwyd sylwadau a wrthwynebai'r datblygiad arfaethedig ac a ailbwysleisiai'r pwyntiau yn adroddiad ysgrifenedig y Pennaeth Cynllunio, ac roeddynt yn cynnwys y canlynol:</p> <ul style="list-style-type: none"> • Cais ôl-weithredol; • Graddfa/maint y breswylfa a adeiladir; • Cynnydd yn uchder cyffredinol y breswylfa; • Effaith weledol y breswylfa a adeiladir ar yr ardal leol uniongyrchol ac yn ehangach; • Edrych dros safleoedd eraill a cholli preifatrwydd; • Mynd yn groes i'r cynlluniau a ganiateir h.y. graddfa/uchder/ffenestri; • Diffyg camau gorfodi gan yr Awdurdod Cynllunio Lleol; • Diffyg lle ar gyfer troi cerbydau. <p>Gwrthododd yr ymgeisydd wahoddiad i ymateb.</p> <p>Ymatebodd y Swyddog Cynllunio i'r materion a godwyd.</p> |
| <p>W/37871</p> | <p>Gosod plac glas ar y ffasâd blaen i goffâu Alice Abadam (1856-1940) ym Mhorth Angel, 26 Heol Picton, Caerfyrddin, SA31 3BX</p> <p>[Sylwer: Gan ei bod wedi datgan buddiant yn y mater hwn yn gynharach, gadawodd y Cynghorydd A. Lenny a'r Cynghorydd K. Lloyd Siambr y Cyngor cyn i'r Pwyllgor ystyried y mater a phenderfynu arno. Y Cynghorydd H.I. Jones a gadeiriodd y cyfarfod tra oedd y cais hwn dan sylw.]</p> |

5.2 PENDERFYNWYD YN UNFRYDOL ohirio ystyried y ceisiadau cynllunio canlynol er mwyn i'r Pwyllgor Cynllunio ymweld â'r safleoedd:-

| | |
|----------------|--|
| W/35898 | <p>Adeiladu gweithdy/garej fasnachol ar gyfer Sarnau Motors ar gae ger Hafod Bakery, Heol Llysonnen, Bancyfelin, Caerfyrddin;</p> <p>RHESWM: Galluogi'r Pwyllgor i gael golwg ar y safle mewn perthynas â mynediad i drafnidiaeth gyhoeddus a chynaliadwyedd;</p> |
| W/37484 | <p>Adeiladu preswylfa ar gyfer perchnogion a gweithredwyr y cwrs golff cyfagos; ynghyd ag adeiladu storfa ar gyfer peiriannau cynnal a chadw'r cwrs golff yng Nghlwb Golff Derllys Court, Heol Llysonnen, Bancyfelin, Caerfyrddin, SA33 5DT;</p> <p>RHESWM: Galluogi'r Pwyllgor i gael golwg ar y safle mewn perthynas â'r ardal gyfagos, hygyrchedd cyhoeddus a chynaliadwyedd.</p> |

6. COFNODION - 2AIL HYDREF 2018

PENDERFYNWYD YN UNFRYDOL Iofnodi cofnodion cyfarfod y Pwyllgor Trwyddedu a gynhaliwyd ar 2 Hydref 2018 gan eu bod yn gywir.

7. COFNODION - 18FED HYDREF 2018

PENDERFYNWYD YN UNFRYDOL Iofnodi cofnodion cyfarfod y Pwyllgor a gynhaliwyd ar 18 Hydref 2018 gan eu bod yn gywir.

CADEIRYDD

DYDDIAD