

# Pecyn Dogfennau



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**DYDD MAWRTH, 28 MEHEFIN 2022**

**AT: HOLL AELODAU Y PWYLLGOR CYNLLUNIO**

**YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R PWYLLGOR CYNLLUNIO A GYNHELIR YN SIAMBR, NEUADD Y SIR, CAERFYRDDIN, AC O BELL AM 10.00 YB DYDD MAWRTH, 5ED GORFFENAF, 2022 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM**

*Wendy Walters*

**PRIF WEITHREDWR**

<b>Swyddog Democrataidd:</b>	<b>Martin S. Davies</b>
<b>Ffôn (Ilinell uniongyrchol):</b>	<b>01267 224059</b>
<b>E-Bost:</b>	<b>MSDavies@sirgar.gov.uk</b>
<b>Gellir gwyllo'r cyfarfod ar wefan y cyngor drwy'r ddolen canlynol:-</b> <a href="https://carmarthenshire.public-i.tv/core/portal/home">https://carmarthenshire.public-i.tv/core/portal/home</a>	

Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
County Hall, Carmarthen. SA31 1JP

**PWYLLGOR CYNLLUNIO**  
**21 AELOD**

**GRŴP PLAID CYMRU- 11 Aelod**

Cyng. Tyssul Evans (Cadeirydd)  
Cyng. Mansel Charles  
Cyng. Terry Davies  
Cyng. Ken Howell  
Cyng. Carys Jones (Is-Gadeirydd)  
Cyng. Jean Lewis  
Cyng. Denise Owen  
Cyng. Dorian Phillips  
Cyng. Russell Sparks  
Cyng. Gareth Thomas  
Cyng. Elwyn Williams

**GRŴP LLAFUR - 6 Aelod**

Cyng. Peter Cooper  
Cyng. Michelle Donoghue  
Cyng. Nysia Evans  
Cyng. John James  
Cyng. Edward Skinner  
Cyng. Michael Thomas

**GRŴP ANNIBYNNOL - 2 Aelod**

Cyng. Sue Allen  
Lle Gwag

**HEB GYSYLLTIAD - 2 Aelod**

Cyng. John Jenkins  
Lle Gwag

# **A G E N D A**

- 1. YMDDIHEURIADAU AM ABSENOLDEB**
- 2. DATGAN BUDDIANNAU PERSONOL**
- 3. PENDERFYNU AR GEISIADAU CYNLLUNIO**

5 - 44

Mae'r dudalen hon yn wag yn fwriadol

**Cyngor Sir Caerfyrddin  
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO  
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a  
Chynaliadwyedd  
Adran yr Amgylchedd**

**Report of the Head of Place  
and Sustainability  
Environment Department**

**05/07/2022**

**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.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>05.07.2022</b>
<b>REPORT OF:</b>	<b>HEAD OF PLACE AND SUSTAINABILITY</b>

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>
<b>PL/01654</b>	<b>Detached bungalow and garage at land part of Gwelfor, Heol Llanelli, Trimsaran, Kidwelly, SA17 4AG</b>
<b>PL/02561</b>	<b>Two detached dwellinghouses at land off Trem Y Cwm, Llangynin, Carmarthen, SA33 4JQ</b>
<b>PL/03189</b>	<b>Erection of four dormer bungalows and creation of new access to include the demolition of existing dwelling and associated outbuildings at Bryn Bedw, Rhydargaeau, Carmarthen, SA32 7DT</b>

**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>PL/01654</b>
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<b>Application Type</b>	Full planning permission
<b>Proposal</b>	Detached bungalow and garage
<b>Location</b>	Land part of Gwelfor, Heol Llanelli, Trimsaran, Kidwelly, SA17 4AG

<b>Applicant(s)</b>	L Harvard
<b>Agent</b>	Evans Banks Planning Limited - Richard Banks
<b>Officer</b>	Eilian Jones
<b>Ward</b>	Trimsaran
<b>Date of validation</b>	22/04/2021

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and at the request of the Local Ward Member.

## Site

The site is within the development limits of Trimsaran and is part of a larger allocation for residential development. The site is a rectangular parcel of land currently unmaintained grass and shrubs. There is a mature tree-line hedgerow along the north-western boundary of the site and there is an unclassified road and Public Footpath 57/22 located on the opposite side. There are a small number of properties located along this road. The application site is accessed via the B4308, which is one of the main roads travelling through Trimsaran. This access is to the south-west of the site itself.

There is extensive planning history associated with the site, some of which is relevant to the consideration of this latest application. In this regard, there is history of planning approvals for residential development of this land since the 1970s. The site is subject to an extant detailed permission for the construction of an access off Heol Llanelli and one detached dwelling (S/05582). The dwelling was later reduced to a bungalow via a non-material amendment (S/30101). The approved access is akin to an estate road since it extends beyond the approved plot in a linear configuration and includes footways and a turning head

at the end. The site does not appear to have been subject to significant development, however, the Council has acknowledged that a technical start has been made to the permission, mainly by virtue of the laying of hardcore to formalise the access. The site has since become overgrown with vegetation.

It is understood that the intention was to establish other residential plots within the larger site by utilising the approved access. The extant permission does not extend to other plots and such development would require separate permissions.

A separate outline application for residential development on the site and adjoining land was approved in 2011 but has since lapsed. This however is relevant since the indicative plan suggested a scheme of approximately 27 dwellings (S/20834) with the access and part of the estate road being very similar as that of the extant permission.

## Proposal

The application seeks full planning permission for a detached bungalow and a garage. This dwelling would utilise the access and road approved under the extant permission S/05582.

## Planning Site History

S/39101 Non-material amendment to S/05582 - Granted 06/08/2019

S/20834 Proposed outline residential development - Outline Granted 09/08/2011

S/05582 Proposed access road and 6 no. plots with detail for Plot 1 - Full Granted 01/03/2004

GW/03659 Proposed access road and 6 no. plots with detail for Plot 1- Full Granted 07/08/2003

## Planning Policy

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

SP1 Sustainable Places and Spaces  
SP2 Climate Change  
SP3 Sustainable Distribution - Settlement Framework  
SP5 Housing  
SP14 Protection and Enhancement of the Natural Environment  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
GP3 Planning Obligations  
H1 Housing Allocations  
H2 Housing within Development Limits  
AH1 Affordable Housing  
TR3 Highways in Developments – Design Considerations  
EQ4 Biodiversity  
EP1 Water Quality and Resources  
EP2 Pollution  
EP3 Sustainable Drainage

## [Carmarthenshire Supplementary Planning Guidance](#)

The following guidance documents are considered relevant to the determination of this application:

Nature Conservation and Biodiversity SPG

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation and Highways** – No objections subject to conditions.

**Dwr Cymru Welsh Water** – No objections subject to a condition.

**SAB** – Separate SAB approval likely to be required. Advise that there is a small change of surface water flooding adjacent to the site, but the site is not at direct risk of flooding.

**Public Rights of Way Officer** – Clarified that Footpath 57/22 abuts the proposed development site. No objections to the proposal subject to advisory notes.

**Public Protection (Contamination)** – No objections to the proposal subject to conditions.

**Public Protection (Public Health)** – No objections to the proposal.

**Local Member - Cllr. K. Broom** - Requests that the application be referred to Committee with concerns regarding access, highway safety, cars being sold on adjoining land and the internal road suggesting that more applications for properties will be forthcoming.

**Trimsaran Community Council** – Objects to the proposal.

1. Large access road for one bungalow;
2. Highway safety;
3. Surface water issues and drainage blockage;
4. Japanese Knotweed on the site;
5. Unauthorised car sales.

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

## Summary of Public Representations

The application was the subject of notification by way of a site notice. 6 representations from different addresses were received, 5 objecting and 1 (Llanelli Ramblers) providing advisory notes. The objections are summarised as follows:

1. Visibility at the access and highway safety;
2. Drainage and flooding issues;
3. Japanese Knotweed present;
4. Gas pipelines located alongside the hedge of the site.

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

## Appraisal

The site is within the development limits of Trimsaran with planning history of residential development. The site is part of a larger allocation for residential development for approximately 23 units, recognised by Policy H1 of the LDP (T3/4/h7). Having regard to the above, it is considered that the proposal, in principle, is broadly compatible with the aims and objectives of the LDP.

The proposed bungalow would measure approximately 9.3m x 11.1m with a pitched roof, reaching maximum heights of 2.5m (eaves) and 6m (ridge). The proposed garage would measure approximately 6m x 3m with a pitched roof, reaching maximum heights of 2.3m (eaves) and 3.4m (ridge).

The proposed dwelling would be situated immediately adjoining the approved and extant bungalow. It would be almost identical to that approved, especially in terms of its scale, design and appearance and its position within the plot, the road frontage, and the overall size and layout of the plot itself. This uniformity and repetition would create a consistent spatial pattern of development and tantamount to the origins of a new cul-de-sac.

The proposed dwelling would have a small front amenity space and a larger private amenity space to the rear. The dwelling would be set in from the side boundaries, with a maintenance path on one side and a long driveway leading to the detached garage on the other side, adjacent to the approved plot.

The plans suggest that the dwelling and garage would be externally finished in brick plinth with rendered elevation and concrete tiles. These are considered broadly acceptable finishes within this locality however in the absence of specific finishes and colours, it is considered prudent to impose a condition for all external finishes to be agreed. Similarly, a condition for the agreement of all boundary treatments would also ensure an acceptable visual appearance to the plot within its surroundings and reasonably protect the privacy and amenities of the approved plot.

Since the proposal would consist of a bungalow, the development would not appear visually dominant or unduly harmful to the amenities of the neighbouring approved plot. There are no windows on the side elevation of the proposed dwelling facing the approved plot. Furthermore, only a small, non-habitable window with obscure glass would be located on the side elevation of the approved dwelling facing the proposed plot.

The proposed dwelling is generally away from any other immediate residential property, albeit acknowledging that a small number of dwellings are located to the north, on the opposite side of an unadopted lane which also is a Public Right of Way (Footpath 57/22). These properties would not be unduly harmed by the development, with reasonable spatial distances provided and separated by the lane and trees and vegetation along the immediate northern boundary. It is considered that a bungalow reaching approximately 6m in height and sited in the position shown on the proposed plans would not result in any unreasonable adverse effect to the amenities of neighbouring properties, with particular regards to dominance and loss of light, outlook and privacy.

Whilst the site is located outside the coal mining referral area identified by The Coal Authority, the Council's Public Protection Department considers the site could be subject to contamination resulting from former coal mining activities in the wider area and recommends several conditions relating to site investigation and details of any remediation works that may be required.

The plans state that the existing tree-line hedgerow along the northern boundary of the site would be retained and since the proposed dwelling and garage would be away from the trees, it would be possible to impose a condition to ensure their protection during the development of the site. It has been claimed by a local resident that there is a gas pipeline running alongside the hedgerow. The plans show the buildings would be away from this area and not directly affected by the proposed development. However, it is considered prudent to remove permitted development rights for the creation of an access onto the unclassified lane, in the interests of protecting the character and appearance of the area, ecology/biodiversity and highway/pedestrian safety.

The application has been accompanied by an ecological appraisal of the site. Additional information relating to the ecology/biodiversity of the site was also submitted during the assessment of the application, including a revised report. The Council's Ecologist is satisfied with the level of assessment made, the findings of the assessments and the ecological recommendations and has no objections to the proposal subject to conditions. Additionally, since the proposal would result in the loss of marshy grassland, the ecology report has recommended that additional land, which is under the control of the applicant, is to be managed as marshy grassland. This is acceptable in principle by the Council's Ecologist but since this land falls outside the application site, a legal agreement will be required to ensure that this is delivered. The applicant has agreed to this.

Despite public representations received claiming that the site contains Japanese Knotweed, the Ecology report, which included a walk-over survey, did not identify any invasive species present on the site. The Council's Ecologist is satisfied with this report and does not recommend any further requirements concerning invasive species.

Significant negotiation and discussions have taken place with regards to highway safety matters. This primarily related to clarifying the planning history of the site and the need to ensure adequate visibility at the access point with Heol Llanelli. In this regard, this proposal is for a new dwelling that will utilise an approved access point and internal road. It has been clarified that this access and associated visibility is appropriate for the additional dwelling and, as such, the Highway Authority has no objections to the proposal subject to conditions. Grampian-style conditions are recommended which requires the access, footways and associated visibility splays to be provided and completed prior to any development of the proposed dwelling. Subject to this, it is considered, on balance, that the proposal would not be unreasonably detrimental to highway safety.

Representations received raise concerns that the access road leading into the site may set a precedent for other application being submitted. Planning history of the site, as explained within the report, indicate that there may be a desire to further develop the site, especially given that it is allocated in the LDP for residential development. However, each application is considered on its own merits, and it is not possible to attach any significant weight to setting a precedent or any application that may submitted in future.

The Public Right of Way (Footpath 57/22) to the north of the site would not be directly affected by the proposed development and the Public Rights of Way Officer has no objections subject to advisory notes.

The site is not within a flood risk area defined by the Development Advice Maps which inform Technical Advice Note 15. It is noted from new flooding maps that there is minor localised surface water flooding at the immediate north of the site. However, this is in the vicinity of the retained tree line and adjacent to the Public Footpath and not in the position of the proposed dwelling or garage. As such, it is considered, on balance, that the proposal would not generate any significant safety or amenity concerns. The Council's Drainage Team does not object the proposal and indicate that separate SAB approval would be required for drainage of the site. Furthermore, Welsh Water has no objections to the proposal subject to a condition which restricts surface water from connecting to the public sewerage network.

Representations received raise concerns regarding car sales occurring on land adjacent to the application site. This has been subject to separate enforcement investigation and is not a significant material consideration to the determination of this current application.

## **Planning Obligations**

### Affordable Housing

The proposed development involves the construction of a private market dwelling. As such, the proposal generates the need for a financial contribution to be made towards affordable housing provision in the area. The applicant has agreed to the heads of terms which requires the provision of the financial contribution in accordance with Policy AH1 of the LDP.

### Ecology

Since the proposal would result in the loss of marshy grassland, the ecology report submitted with the application has recommended that additional land, which is under the control of the applicant, is to be managed as marshy grassland. This is acceptable in principle by the Council's Ecologist but since this land falls outside the application site, a legal agreement will be required to ensure that this is delivered. The applicant has agreed to this.

## **Well-being of Future Generations (Wales) Act 2015**

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

## **Conclusion**

After careful consideration of the scheme as submitted, it is concluded on balance that the proposed bungalow and garage within development limits and on a site which is allocated for residential development within the LDP, represents an acceptable form of development

which would not unreasonably harm the character of the area or public visual amenity. Furthermore, the proposed development, on balance, would not have an unreasonable adverse effect the residential amenities of neighbouring properties or future occupiers of the new dwelling and would not result in any significant detriment to highway/pedestrian safety (including users of Footpath 57/22, ecology/biodiversity, urban infrastructure including drainage and water quality or significantly contribute to flood risk. The proposal would also contribute to the delivery of affordable housing in the wider area, thereby promoting sustainable development.

Members are respectfully requested to resolve to approve the application subject to the completion of a legal agreement relating to the financial contribution towards affordable housing and off-site ecology/biodiversity mitigation. If no legal agreement is signed within 12 months of any Committee resolution to approve, the Head of Place and Sustainability requests delegated powers to refuse the application.

## **RECOMMENDATION - Approval**

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### **Conditions & Reasons**

#### **Condition 1**

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

*Reason:* Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

#### **Condition 2**

The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans and documents:

- Location Plan,
- Bungalow at Gwelfor (A104 - Elevations and Floorplans),
- Plan and Elevations (Garage),  
received 6 April 2021;
- Visibility Splay Plan (A102),  
received 3 December 2021;
- Site Plan Plot 2,  
received 21 February 2022.

*Reason:* For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

### **Condition 3**

No development associated with the dwelling or garage hereby approved shall commence until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwelling and garage hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

*Reason:* In the interests of visual and general amenities.

### **Condition 4**

No development associated with the dwelling or garage hereby approved shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments (including any retaining structures) to be erected. The boundary treatments and retaining structures shall be completed in accordance with the approved details and plan and implemented prior to the beneficial occupation of that approved dwelling or in accordance with a timetable which shall first be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be retained as approved in perpetuity.

*Reason:* In the interests of visual and residential amenities.

### **Condition 5**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 [as amended] (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 2, Class, B, shall be carried out to any part of the development hereby approved without the prior written permission of the Local Planning Authority.

*Reason:* To exert control over the future development of the site and in the interests of visual amenity, general amenity, highway/pedestrian safety and ecology/biodiversity.

### **Condition 6**

Prior to the commencement of any works associated with the development hereby approved, a Construction Exclusion Zone (CEZ) shall be established to protect all existing vegetation identified for retention on drawing "Site Plan Plot 2 (Received 21 February 2022)". The CEZ shall be defined by a barrier of a specification appropriate to exclude the degree and proximity of all construction phase operations. The barrier shall form a continuous length, aligned as follows: -

- i) To the perimeter of root protection areas, defined in accordance with BS5837 of all trees, groups of trees or woodland located within, on, or with a canopy spread which overhangs the site boundary.
- ii) To 1.5m from the edge extent of above ground growth of all shrub masses, hedges and hedgerows located within or on the site boundary.



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

Any existing landscape elements, or part thereof, identified for retention, which within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the Local Planning Authority, and thereafter likewise conditioned for a further period of five years.

*Reason:* In the interests of visual amenity and ecology/biodiversity.

### **Condition 7**

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

*Reason:* To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

### **Condition 8**

If, during development, any unforeseen contamination is encountered then no further development shall be undertaken until a 'Remediation Strategy' has been submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the 'Remediation Strategy'.

*Reason:* In the interests of safety, public health and amenities.

### **Condition 9**

No development shall commence on the site hereby approved until the access, turning area, footways and the required visibility splays have been completed in accordance with planning permission S/05582.

*Reason:* In the interests of highway/pedestrian safety and to secure an acceptable development.

### **Condition 10**

The new vehicular access directly serving the plot hereby approved shall be laid out and constructed strictly in accordance with Typical Layout No. 2 (specification for which is attached to this planning permission). The approved access shall be completed prior to the commencement of construction of the dwelling hereby approved. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

*Reason:* In the interests of highway/pedestrian safety and to secure an acceptable development.

### **Condition 11**

The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to the occupation of the dwelling hereby approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking and turning facilities is to be obstructed by non-motorised vehicles.

*Reason:* In the interests of highway/pedestrian safety and to secure an acceptable development.

### **Condition 12**

There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole internal estate road frontage within 2.0 metres of the near edge of the carriageway.

*Reason:* In the interests of highway/pedestrian safety and to secure an acceptable development.

### **Condition 13**

The development hereby approved shall be carried out in strict accordance with the Ecological mitigation and enhancement recommendations contained within sections 5 of the Ecological Appraisal Report (I&G Ecological Consulting, January 2022).

*Reason:* In the interests of ecology/biodiversity.

### **Condition 14**

No development shall commence until a Marshy Grassland Management and Monitoring Plan has been submitted to and approved by the Local Planning Authority. This shall include:

- i) Details of habitats (Marshy Grassland) to be created;
- ii) Details of the desired conditions of features (present and to be created);
- iii) Details of scheduling and timetable of activities;
- iv) Details of short and long-term management proposals, monitoring proposals and maintenance operations of Marshy Grassland to deliver and maintain the desired landscape and ecological conditions and functions;
- v) Details of monitoring of Marshy Grassland and required post construction monitoring;
- vi) Details of measures should Marshy Grassland become damaged;
- vii) Details of management and maintenance responsibilities;
- viii) Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals;
- ix) Mechanisms to be used for reporting.

The Marshy Grassland Management and Monitoring Plan shall deliver all the mitigation requirements for the operational phase as referenced in the Marshy Grassland Mitigation and Enhancement Plan (April 2022).

The Marshy Grassland Management and Monitoring Plan shall be carried out in accordance with the approved details, scheduling and timetable.

*Reason:* In the interests of ecology/biodiversity.

### **Condition 15**

No development shall commence (including site clearance) until a Reptile Mitigation Method Statement prepared by a competent ecologist and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The site shall be developed in accordance with the approved Statement and timetable.

*Reason:* In the interests of ecology/biodiversity.

### **Condition 16**

Prior to the installation of any artificial external lighting, full details shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include their locations, height, orientation, design, appearance and intensity of illumination. Any external lighting scheme shall focus particularly on minimising lighting impacts near to bat roosting features and maintaining flight lines and dark corridors in line with the recommendations within section 5.6 of the Ecological Appraisal Report (I&G Ecological Consulting, January 2022). The scheme shall be implemented as approved and shall then be permanently maintained in that state thereafter.

*Reason:* In the interests of ecology/biodiversity.

### **Condition 17**

No development shall commence until a scheme of biodiversity enhancements within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and prior to the beneficial occupation of the development hereby approved or in accordance with a timetable which shall first be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancements shall be retained and maintained as approved in perpetuity.

*Reason:* In the interests of ecology/biodiversity.

## **Notes / Informatives**

### **Note 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.

### **Note 2**

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

### **Note 3**

The affordable housing contribution and off-site ecology mitigation required in line with Policies AH1, SP14 and EQ4 of the Local Development Plan has been secured with the applicant entering into a S106 agreement/Unilateral Undertaking.

<b>Application No</b>	<b>PL/02561</b>
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<b>Application Type</b>	Outline planning consent: some matters reserved
<b>Proposal</b>	Two detached dwellinghouses
<b>Location</b>	Land off Trem Y Cwm, Llangynin, Carmarthen, SA33 4JQ

<b>Applicant(s)</b>	Mr M Thomas
<b>Agent</b>	Evans Banks Planning Limited - Richard Banks
<b>Officer</b>	Charlotte Greves
<b>Ward</b>	Llanboidy
<b>Date of validation</b>	02/09/2021

## Reason for Committee

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

## Site

The application site comprises sloping agricultural land which forms part of a wider agricultural enclosure which lies partly within the settlement of Llangynin and forms part of a residential housing allocation SC11/h1 as identified in the adopted Carmarthenshire Local Development Plan (2014).

The site is to the immediate north of the existing residential development, a cul-de-sac known as Trem Y Cwm and to the west and rear of existing residential properties which are located along the main road through Llangynin, the C2001.

The site itself has no existing physical boundary in the western or northern direction and is currently accessed via a gravel and stone access drive which leads from the existing Trem Y Cwm hammerhead. To the west of the site and to the rear of the existing residential properties which currently front the C2001 county road there is a further agricultural enclosure with a post and wire fence demarcating its boundary with the site and surrounding residential development.

## Proposal

Outline planning permission is sought for the construction of two dwelling houses, with the matter of layout also for approval. The matters concerning appearance, scale, access and landscaping are to be considered at the later reserved matters applications stage subject to first gaining outline planning permission. As required under legislation indicative plans have been provided which suggests how the site may be developed and accessed and includes the following scale parameters:

### Dwelling:

Width: 9m – 11.5m

Length: 9m – 11.5m

Height (to ridge): 7.5m – 9.0m

The proposed layout plan details that the two dwellinghouses would be sited to the north of the closest residential properties and would face east. The dwellings would be accessed via a newly extended access off the existing Trem Y Cwm hammerhead that links from neighbouring residential development. The layout plan also details that parking is to be provided within the respective curtilages of each dwelling together with private amenity space at the rear (west). Whilst landscaping is a reserved matter the indicative layout details that the boundaries of the site would comprise a mixture of existing and newly planted hedgerows.

## Planning Site History

As stated above the site forms part of an existing LDP residential allocation (ref SC11/h1).

There is no relevant planning history for the site itself but there is a detailed planning history for the wider Trem Y Cwm site and access road which is listed below:

W/34862 Construction of 2 dwellings Plots 1 and 2, Full planning permission granted 19<sup>th</sup> July 2017

W/30272 Housing Development Phase 3, Four Dwelling – Granted 28<sup>th</sup> July 2014

W/20899 Variation of condition 2 of planning consent W/16081 for construction of conservatory and balcony at ground floor level with storeroom under conservatory to make practical use of sloping ground (Plot 5), Granted 8<sup>th</sup> October 2007

W/16081 Housing Development Phase 2, Full Planning Permission Granted 24<sup>th</sup> April 2008

W/12234 Amendment to condition no 3 on approval W/09539 to the use of tiles in lieu of slates and discharging of conditions 9, 10 and 12, Granted 26<sup>th</sup> April 2007

W/13674 Proposed residential development of two bungalows with detached garages, Outline planning permission refused 21<sup>st</sup> November 2006

W/09539 Housing Development Phase 1 – 4 Dwellings and road to serve development, Full planning permission granted 7<sup>th</sup> May 2005

## Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP3 Sustainable Distribution- Settlement Framework
- SP13 Protection and Enhancement of the Built and Historic Environment
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High Quality Design
- GP2 Development Limits
- H1 Housing Allocations
- H2 Housing within Development Limits
- AH1 Affordable Housing
- TR3 Highways in Developments – Design Considerations
- EP2 Pollution
- EP3 Sustainable Drainage
- EQ4 Biodiversity
- EQ5 Corridors, Networks and Features of Distinctiveness

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

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

**Local Member** – The Local Member and Member of the Planning Committee, Councillor Dorian Phillips, has made no prior comment.

**Llangynin Community Council** – Responded to consultation reiterating the advice from Public Rights of Way in respect of the footpath which abuts the site. The Community Council also states that they do not object to the development in principle, but requests that any section 106 contributions are used to fund local requirements which they have identified as being highway improvements and recreation facilities available to local children.

**Land Drainage** – SAB approval is required.

**PROW** – the developer should be made aware of their obligations in respect of Footpath 20/8, a public right of way, which abuts the application site.

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

## Summary of Public Representations

The application was the subject of notification by way of a site notice. Five representations from four different households were received objecting to the proposed development, and the matters raised are summarised as follows:

- The proposed dwellings are to be located outside of the LDP boundary;
- Sustainable development;
- The appearance of the existing and proposed dwellings at Trem Y Cwm are not in keeping with the surroundings;
- Level of proposed properties relative to adjacent properties;
- Loss of light and privacy;
- Width of the access road is not wide enough;
- Neighbour notification letters not received by neighbouring properties;
- Application not publicised by way of a site notice;
- The proposed development will lead to further development at this site;
- Value of property reduced;
- Obstruction of public right of way.

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

## Appraisal

### Principle of the Development

The application site is located partly within the development limits of Llangynin and forms part of the housing allocation SC11/h1 as identified in the adopted Local Development Plan for Carmarthenshire (2014). Applications for residential development within development limits and on existing housing allocations are considered acceptable in principle in accordance with Policies GP2, H1 and H2 of the LDP, subject to detailed considerations. Housing allocations and settlements with development limits have been assessed as being the most suitable and sustainable locations for development in the County.

The existing properties of Trem Y Cwm which form part of the LDP housing allocation, have been developed over time, largely responding to the prevailing topography of the site. Whilst it was the intention of the LDP to provide a suitable housing development within the defined allocated site, it is apparent that some of the dwellings in Trem Y Cwm, particularly their rear gardens, are located outside of the defined settlement boundary. In addition, and because of how the site has developed, a small area of land remains to the north of the existing development which is both within the development limits and also the remaining allocation, which comprises in part, the land which is the subject of this application.

The proposal is for two detached dwellings which would continue the western side of the estate road in a linear and logical fashion to the north. In response to concerns raised in respect of the principle of the development and the impact of the development upon adjacent residential development, the agent has submitted layout as a matter for approval at outline stage and has submitted additional level details and cross-sectional plans which detail how the proposed development would sit within its surroundings.



The majority of the built form would be sited within the adopted development limits, although small proportions of the rear extent of the dwelling and the rear gardens would be located outside of the development limits. The layout and form proposed seeks to emulate that which has received planning permission and is generally in line with existing properties located off the hammerhead. It is considered that in considering how the development sits with the remaining Trem y Cwm development site, it is considered that the minor encroachment beyond the settlement limits can be tolerated and the site is capable of being developed within minimal impacts upon the character of the area and residential amenity of surrounding properties.. Furthermore, the development will provide additional housing development and contribute to the provision of affordable housing in an area of housing need. It is therefore considered that, on balance, the principle of the development is acceptable.

### Impact on the Character and Appearance of the Area

As explained above the application is for outline planning permission only, with most detailed matters reserved except for layout which is to be fixed in accordance with the submitted details. The proposed layout is acceptable having regard to the principle of the development as set out above.

Detailed design matters relating to the appearance and scale of the dwellings and landscaping are for determination at the reserved matters application stage however the indicative details and scale parameters are considered to demonstrate that the site is capable of accommodating two dwellings without any significant adverse impacts upon the character and appearance of the area or the landscape.

A suitable landscaping scheme together with appropriate boundary treatments can be secured at reserved matters stage and will further ensure that the development can be acceptably integrated with its surroundings and in relation to existing dwellings.

The application is therefore, at this stage, considered to comply with Policy GP1(a) of the LDP.

### Living Conditions of Neighbouring Occupiers

Based on the proposed layout, cross section and indicative details it is considered that the site is capable of accommodating two dwellings that would sit comfortably within the site and could replicate the scale and form of the nearest dwellings and therefore limit the impact on the living conditions of nearby properties. The indicative siting of the proposed dwellings and access road would result in acceptable distances being achieved between the closest properties which coupled with the scale of the proposed dwellings would not result in a significant adverse impact upon the residential amenity of neighbouring properties. Furthermore, an appropriate landscaping scheme and boundary treatments will provide additional screening of the development and further safeguard the amenity of neighbouring properties.

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

### Impact upon Highway Safety

The access to the site is proposed to be obtained off a newly extended shared use private drive off the existing Trem Y Cwm hammerhead that links from the existing residential development.

Whilst concern has been raised by third parties in respect of the width of the shared use private drive, the Head of Transportation and Highways has raised no objection subject to conditions which includes a requirement to achieve a minimum width of access road. This will be the subject of details at the reserved matters stage.

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

### Drainage

Details of foul water disposal have not been disclosed at outline stage however, surface water disposal is proposed to be to a soakaway. Notwithstanding this, Land Drainage have advised that due to the construction area of the proposed development SAB approval will be required.

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

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

### Other Matters

The material planning considerations raised by third parties in respect of this application are considered to have been addressed in the preceding paragraphs of this report. Other matters raised are addressed as follows:

Concern has been raised by third parties that they have not been notified of the development by letter. Current planning legislation requires local planning authorities to either notify neighbours (where this is deemed appropriate) or erect a site notice in order to publicise planning applications. In this case a site notice was deemed the most suitable way to publicise the application and a site notice was erected near the entrance to the Trem Y Cwm development.

With regard to concerns raised in respect of Public Rights of Way, whilst there is a Public Right of Way located near to the site, this would not be directly affected by the proposed development and a note can be included on any planning permission drawing the developer's attention to its existence and obligations in respect of this.

Concern has been raised that the proposed development would lead to additional development beyond the application site. It is not considered that the proposed development sets a precedent for further development beyond the development limits and in any event each application would be determined based on its own individual merits.

Concern regarding the impact of the development on property values is not a material planning consideration.

## Planning Obligations

The applicant has agreed to enter into a Unilateral Undertaking and to pay the requisite commuted sum contribution to affordable housing in accordance with Policy AH1 of the LDP. The contribution amount in this area of the County is equivalent to £77.58 per sqm of the internal floorspace of the dwelling. The final level of contribution would be determined at the reserved matters stage when details of the floorspace of the dwellings would be provided.

The Community Council raise the matter of availability of Section 106 funds from the development and potential benefits for the community. The application, which is for two dwellings, only triggers the requirement for a contribution towards affordable housing for this development and therefore no other contributions are sought. More information can be found regarding the development triggers for affordable housing and other contributions within the adopted LDP Affordable Housing and Planning Obligations Supplementary Planning Guidance documents.

## Well-being of Future Generations (Wales) Act 2015

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

## Conclusion

After careful consideration of the scheme as submitted it is concluded on balance and for the reasons set out above that the proposed development accords with the relevant planning policies. The recommendation is therefore one of approval subject to the below conditions and the applicant entering into and completing a legal agreement to secure financial contribution towards affordable housing.

In the event that the required legal agreement is not completed within 12 months from the date of the Planning Committee resolution, delegated authority is to be given to the Head of Place & Sustainability to refuse the application.

### **RECOMMENDATION - Approval**

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## Conditions & Reasons

### Condition 1

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

- a) the expiration of five years from the date of this outline planning permission;

- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

*Reason:* Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

### **Condition 2**

The permission now granted is an outline permission only, for two dwellings, within the meaning of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

*Reason:* The application is in outline only.

### **Condition 3**

Development shall not commence until detailed plans of the scale, appearance, access and landscaping of the development have been submitted to and been approved in writing by the Local Planning Authority.

*Reason:* In the interests of visual amenity.

### **Condition 4**

The land subject to this permission is as identified on the Location Plan [EB-04 A] received 12th October 2021.

*Reason:* For the avoidance of doubt.

### **Condition 5**

Notwithstanding the information contained in the application, any reserved matters application shall be accompanied by full cross sections, existing and proposed ground levels, finished floor levels and means of enclosure.

*Reason:* In the interests of the character and appearance of the area and visual amenity.

### **Condition 6**

Notwithstanding the information contained in the application the scale of the buildings hereby approved shall lie within the following parameters:

Dwelling parameters:

Width: 9m – 11.5m

Length: 9m – 11.5m

Height (to ridge): 7.5m – 9.0m

*Reason:* In the interest of clarity as to the extent of the permission and to ensure that there is sufficient amenity area to serve the dwelling and to park and turn to accord with Policy GP 1 and TR 3 of the Carmarthenshire Local Development Plan.

### **Condition 7**

Prior to its use by vehicular traffic, the new shared use private drive shall be laid out and constructed with 4.1 metre carriageway.

*Reason:* In the interest of highway safety.

### **Condition 8**

The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.

*Reason:* In the interest of highway safety.

### **Condition 9**

The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5.0 metres from the edge of the carriageway.

*Reason:* In the interest of highway safety.

### **Condition 10**

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

*Reason:* In the interest of highway safety.

### **Condition 11**

Any reserved matters application shall include an appropriate and comprehensive Detailed Landscape Design Scheme, to be submitted and approved in writing by the Local Planning Authority. The scheme shall deliver detailed design proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions; and shall be in compliance with relevant guidance as provided by the Local Planning Authority. The approved LDS shall be fully implemented prior to occupation of the development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS which, within a period of 5 years after implementation, are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

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

## **Condition 12**

Notwithstanding the information submitted with the application and together with the first reserved matters application full details of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

*Reason:* To ensure that an acceptable method of foul drainage is provided

## **Condition 13**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C and E other than that hereby approved, shall be carried out without the written permission of the Local Planning Authority.

*Reason:* To exert control over the future development of the site to ensure that the character and appearance is maintained in accordance with policy GP1 of the Carmarthenshire Local Development Plan 2014 and that the dwelling remains of an acceptable scale for future occupiers in accordance with Technical Advice Note 6: Planning for Sustainable Rural Communities 2010.

## **Notes / Informatives**

### **Note 1**

The applicant/developer's attention is drawn to the signed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £77.58 per square metre internal floor area.

### **Note 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.

**Note 3**

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

**Note 4**

The developer is advised that footpath 20/8 abuts the development site and it is a requirements not to obstruct or encroach upon it either during construction or at any time thereafter. Any alterations to the surface of the footpath will require prior approval from the Local Authority.

<b>Application No</b>	<b>PL/03189</b>
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<b>Application Type</b>	Full planning permission
<b>Proposal</b>	Erection of four dormer bungalows and creation of new access to include the demolition of existing dwelling and associated outbuildings
<b>Location</b>	Bryn Bedw, Rhydargaeau, Carmarthen, SA32 7DT

<b>Applicant(s)</b>	John Dunn
<b>Agent</b>	JMS Planning - Mrs Gwennan Jenkins
<b>Officer</b>	Helen Rice
<b>Ward</b>	Abergwili
<b>Date of validation</b>	14/12/2021

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and the application was received prior to the recent changes in the scheme of delegation approved in February 2022.

## Site

The application site lies on the edge of the village of Rhydargaeau and comprises a detached bungalow and its associated garden area and outbuildings and part of an agricultural field. The site fronts onto the main A485 highway that travels through the village with the existing dwelling obtaining its access from this highway. The site's southern boundary adjoins the side boundary of a detached residential dwelling known as Hafod Lon, defined by a hedgerow and fencing whereas the western boundary is not necessarily physically defined at present and rather leads out onto the remainder of the agricultural field. The northern extent of the application terminates short of the field's boundary with an unclassified road. The site is located on the brow of a hill upon entering the village from the north, with the existing dwelling situated above the existing carriageway behind a retaining wall whereas the site itself is generally level.



## Proposal

The proposal seeks permission to demolish the existing dwelling and all associated outbuildings and its replacement with four 3 bed detached dormer bungalows within the area currently occupied by the dwelling, outbuildings and the adjacent agricultural field and therefore filling the existing gap within the streetscene at present.

The existing access would be closed up with the creation of a new access leading into the site terminating with a turning head. The front elevations of the four units would face onto the internal access albeit the side elevation of plots 1 and 2 facing the A485 would have architectural detailing in the form of a secondary door access and bay windows to create visual interest.

Each plot would have a front permeable hardstanding access drive from the internal access with provision for off street parking, with front, side and rear amenity garden areas laid to lawn. The site's northern and western boundary would be defined by new native hedgerows, with the existing hedgerow and close boarded fence along the southern boundary with Hafod Lon being maintained. Side boundaries between the proposed plots would be defined by 1.8m close boarded timber fencing falling to 1.5m between parking areas, whereas front boundaries and the boundary with the A485 would be defined by low masonry wall.

The dwellings would be constructed with a brick plinth, smooth rendered walls, fibre cement slate roof, upvc windows, doors, fascias soffits and barges and a feature green oak porch along with a solar panel for water heating. The internal accommodation would include living room, kitchen, utility, bathroom, office and bedroom on the ground floor and two bedrooms including an ensuite on the first floor with roof lights on the rear and dormer windows along the front elevation.

The proposal includes a reduction in levels to reflect the site levels of existing dwellings to the south. In terms of drainage, each dwelling would be served by a surface water soakaway tank with percolation tests confirming adequate drainage with foul drainage connecting to the mains sewer located within the proposed access road.

## Planning Site History

The site has been the subject of previous history as follows:

W/32463 Erection of detached single storey dwelling with garage and access, Full Granted 23 November 2015

W/13899 Residential development 1 plot, Outline Granted 25 October 2007

TM/00915 Residential development 1 unit, Outline Refusal 13 May 2002

Those applications that have been approved have since lapsed and are therefore no longer capable of being implemented.

Members are also advised, and as mentioned in representations received on this application, that there are two further applications for residential development under consideration (at the time of writing) within the village. One of these sites is directly opposite the application site and lies on a site allocated for residential development within the Local Development Plan with a current outline application for 7 dwellings. The other application is

for an additional 17 dwellings to the Dan y Dderwen site to the south east of this current application.

## Planning Policy

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

SP1 Sustainable Places and Spaces  
SP2 Climate Change  
SP3 Sustainable Distribution- Settlement Framework  
SP5 Housing  
SP6 Affordable Housing  
SP14 Protection and Enhancement of the Natural Environment  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
GP3 Planning Obligations  
H2 Housing within Development Limits  
AH1 Affordable Housing  
TR3 Highways in Developments- Design Considerations  
EQ5 Corridors, Networks and Features of Distinctiveness  
EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – no objections subject to conditions to secure appropriate access layout, visibility splays, parking and turning areas.

**Land Drainage** – no objections and confirmation that a Sustainable Approval Body Consent would be required for the development.

**Llanllawddog Community Council** - No observations received to date.

**Local Member(s)** - Councillor Neil Lewis has not commented to date. Former Councillor Dorian Williams, who was the elected member for the ward when the application was submitted did not comment on the application.

**Natural Resources Wales** – No objections subject to a note stating that an European Protected Species Licence due to the presence of bats in the existing buildings would be required for the development.

**Dwr Cymru/Welsh Water** – No objections subject to conditions to ensure that no surface water/land drainage shall enter the public sewerage network.

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

## Summary of Public Representations

The application was the subject of notification by way of a site notice. 6 representations were received all objecting to the development on the following grounds:

- Impact of the development on traffic generation and highway safety given the site and its proposed access' proximity to the brow of a hill on the busy A485, further proposed development opposite the road and road users frequently exceeding the 30mph and especially near the proposed entrance as they speed up to leave the village;
- Existing residents experience long delays when leaving their properties due to volume of traffic on the A485, visibility issues and speeding vehicles, having more accesses onto the road will exacerbate this existing situation;
- Sewerage infrastructure is not adequate with the existing pumping station overloaded;
- Significant development already taken place in the village reducing natural drainage
- No need for further development within the village
- Previous permission for a single dwelling was more sympathetic to the village, this proposal will double the number of dwellings on the site;
- Old sewage pipe on the land needs to be addressed
- No justification for the loss of the existing dwelling which is aesthetically pleasing and contributes to the character of the village as a landmark building;
- Character of the village is being lost;
- Existing trees provide a wind break and an important habitat for biodiversity
- Existing buildings at Bryn Bedw are used by bats and development should provide space for them to roost following demolition
- Should retain green spaces and agricultural land
- Village is becoming overwhelmed with development and placing more strain on infrastructure
- There are no amenities within the village or within walking distance
- Proposal opens up the field to the rear for further development
- It is not clear whether the site is within the LDP
- Dwellings are proposed perpendicular to the road out of character with the village
- The negligible impact upon the Welsh Language within the applicant's statements are unsupported, insufficient phasing of development is happening within the village to ensure impacts are appropriately managed. No plans to expand the local Welsh medium primary school and nursery is at capacity.
- Sewerage concerns raised by DCWW in relation to a site for 7 dwellings opposite the development site are equally applicable to this application
- No capacity at nearby schools
- Applicant did not approach residents prior to the submission of the application.

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

## Appraisal

The main considerations of this case, based on the information submitted, consultation responses received and representations received from local residents, are whether the principle of the development is acceptable, the impact of the development on the character and appearance of the area, highway safety impacts, impacts upon the living conditions of nearby residents, drainage and infrastructure impacts, impacts upon biodiversity, the

developments effect on the Welsh Language and affordable housing provision. These issues are discussed in turn below:

### Principle of Development

The majority of the application site lies within the defined settlement extent of the village as set out in the Local Development Plan, with the exception of the turning head section of the proposed access road which would lie outside. Whilst the site is not specifically identified within the LDP as a residential allocation, given that the majority of the site is included within the settlement limits, by default there is an acceptance in principle for its development, subject to meeting other material planning considerations. The proposal would fill an existing gap within the street scene and this has been accepted in the past through granting planning permission for a single dwelling on the field. It is however acknowledged that part of the access road would extend beyond the development limits. However, on balance, this is considered tolerable given that it would not extend significantly into the open countryside and no dwelling is to be located on land outside the settlement. It is also worthy to note that the land is classed as poor quality argilctural land. As such, the proposal is considered to comply with Policies GP2 and H2 of the Local Development Plan which support the development of residential units within settlement limits subject to other material planning considerations.

### Impact upon Character and Appearance of the Area

Rhydargaeau is a village that has expanded over the years to create a mixed character of dwellings ranging from small scale bungalows, dormer bungalows and two storey properties of varying age and design. In the immediate vicinity of the site, the predominant dwelling types are bungalows that face onto the A485 with the majority having been built in the mid to late 1980s, albeit further into the village there are two storey dwellings. Whilst properties predominately have their main elevation fronting onto the A485 highway, there are examples of gable ends facing the highway and other cul-de-sac developments both historic (Bro Helyg) and more recently (Dan y Dderwen) within the village. The proposal has sought to reflect the existing character through the provision of dormer bungalows which reflect other scales of dwellings in the immediate and wider vicinity. Whilst references to the position of the dwellings relative to the road have been noted, following a revision to the original submission, the gable ends of the properties that will face onto the A485 have been appropriately amended to include architectural detailing which will create a more active street frontage in comparison to having blank wall elevations and this orientation of built form is reflective of other developments and units in the village. The proposal also includes landscaping proposals that would see external boundaries defined by existing and new hedgerows and the appropriate use of boundary walls along the sites entrance, again reflective of other styles of developments within the village.

A number of residents have raised concerns over the wider development of Rhydargaeau and the collective impact of recent developments on the character of the village. It should be noted that the development that has occurred to date has been in line with the Local Development Plan where consideration regarding quantum of development for village locations is assessed. This site was specifically included within the settlement limits and therefore by default its development was anticipated. Whilst evidently the village has witnessed recent developments and there are further applications under consideration, each application must be considered on its own merits and this application for in effect 3 additional dwellings is not considered to represent a disproportionate addition to the village that would unacceptably impact upon its character.

On balance therefore, having regard to the sites location within the village, along with the intended siting, scale, massing, architectural detailing, landscaping and intended use of materials the proposal would not have a detrimental impact upon the character and appearance of the area. It is considered that the proposal is an appropriate infill development that represents an effective and efficient use of land within the settlement boundary.

### Highway Safety Impacts

The issue of highway safety is a matter that has been consistently raised by local objectors. The site is situated on the busy A485 that provides a strategic link between Carmarthen and up towards Lampeter and Aberystwyth beyond. As such, consideration of creating a new access onto this road has been carefully assessed, including consideration of the site's location on the brow of a hill, the presence of existing accesses and the speed limit.

The site is currently accessed from the highway which serves the existing dwelling. The proposal would not increase the number of accesses onto the road given that it presents a replacement of the existing access albeit it would serve 4 dwellings in total rather than 1. To this end, whilst not a specific requirement for a scheme of 4 dwellings, the access has been designed to an adoptable standard and includes a visibility splay of 2.4m by 70m which meets visibility standards. The application has been the subject of review by the Council's Highway Department who raise no objections.

In terms of parking, this has been the subject of scrutiny to ensure that the proposal complies with parking standards to avoid on-street parking causing highway safety issues. Each dwelling is to be provided with hard surfaced off street parking areas that provide sufficient space for the numbers of cars associated with a 3 bed dwelling and suitable turning areas on the actual access road and within the curtilage of each dwelling is also proposed.

Therefore, whilst the concerns of residents are fully acknowledged, it is considered that the development proposed has taken this into account and has been the subject of careful design and consideration to arrive at a scheme that complies with highway design standards and is more than adequate to serve a development of 4 dwellings. Therefore, having regard to the proposals before the Council, it is considered that the proposal would not give rise to highway safety concerns that would warrant refusal of the application and is therefore compliant with Policy TR3 and GP1 of the LDP.

### Impacts on Neighbours

Due to its location, the development has the potential to impact upon the living conditions of neighbouring residents, principally the property at Hafod Lon. In particular, plots 2 and 4 will have their rear elevations facing onto the side elevation and boundary of Hafod Lon. The side elevation of plot 2 is in line within the front elevation of the existing dwelling at Bryn Bedw albeit forward of the front elevation of Hafod Lon. At its nearest, Plot 2 would be 8m from the side boundary with Hafod Lon, albeit this increases to 10m further into the Plot itself. Plot 4 would be situated further back and in line with the rear garden area of Hafod Lon albeit 11m at its nearest increasing to 13m. Whilst the orientation of Plots 2 & 4 relative to the neighbouring property could give rise to concerns, the existing boundary between the site and Hafod Lon is to be maintained and this coupled with the main windows being on ground floor only on a similar ground level to the existing, is not considered to give rise to loss of privacy. There are velux rooflights in the rear elevation of plots 2 and 4 however, these are intended to largely be secondary windows to the bedrooms that they serve with

the principal windows being situated on the principal elevations facing onto the access road. In addition, given the spacing between the proposed and existing and the scale of the units, it is not considered that the proposal would result in an overbearing impact upon Hafod Lon. It is however recognised that future extensions to the properties could have an impact and as such, it is considered necessary to remove permitted development rights to ensure that should future occupants wish to extend the properties that such proposals would have to be the subject of an application to enable assessment. This also serves to ensure that adequate amenity space is retained for future occupants of the dwellings.

On balance, therefore, it is not considered that the proposal would give rise to unacceptable impacts upon the living conditions of neighbouring residents and is considered to comply with Policy GP1 of the LDP.

### Drainage and Infrastructure Impacts

The development is to be served by the main foul sewer with surface water drainage directed towards soakaways. As indicated above, the application has been the subject of consultation with DCWW who have raised no concerns over the capacity of the waste water treatment works which serves the area and neither have they raised issue with the capacity of the nearby pumping station. Therefore, whilst the views of residents are noted, DCWW themselves have raised no objection provided that surface water/land drainage is not allowed to enter the public sewer system.

One objector has suggested that DCWW have raised concerns in relation to the development on the opposite side of the road and that the same concerns should be applicable to this case. Members are advised that the application on the opposite side of the road has been made in Outline and no details of the proposed drainage arrangements have been provided. In response to that application, DCWW do not raise objections but rather request submission of a drainage scheme prior to the commencement of development.

In terms of surface water drainage, the application details the proposal for soakaways afforded to each property and the Council's Land Drainage team do not raise any objections to the scheme which will in any event require a separate Sustainable Drainage Approval Body (SAB) consent for the drainage arrangements prior to works commencing on site.

On this basis, it is considered that the proposal is acceptable in terms of the drainage arrangements subject to the imposition of the conditions requested by DCWW regarding surface water. Members are advised that reference to the presence of a private foul drain within the site is a civil matter and is not to be directly affected by this development.

### Biodiversity

The proposal is supported by a survey of the buildings proposed to be demolished to assess whether they currently host protected species, in particular bats. The survey concludes that there is evident of bat activity within the outbuilding and dwelling at Bryn Bedw that are proposed to be demolished. Consequently, the submitted bat survey advises that through appropriate timing and methods, works could be undertaken to the building without impacting upon bats and allowing access to a roost space at the site upon completion via the provision of bat boxes. Nevertheless, an European Protected Species Licence would be required from NRW prior to any works commencing.

Furthermore, as detailed above, the proposal involves enhancements in the form of the creation of new hedgerow planting along the site's external boundaries with the adjoining agricultural field therefore creating and enhancing existing green corridors. Local residents have raised concerns over the impact of the development on nearby trees which are used by other species, however, this development does not extend to include the trees and therefore they are not to be affected. In summary therefore, subject to adherence with the bat survey report and provision of the landscaping elements, the proposal is not considered to give rise to unacceptable impacts upon biodiversity and complies with policy SP14 and EQ4 and EQ5 of the LDP.

### Impact upon the Welsh Language

In line with Technical Advice Note 20: Planning and the Welsh Language, the impact of development on the language was assessed as part of the LDP preparation. It is the case that language impact assessments are not required for individual applications unless they are of a magnitude in an area defined as linguistically sensitive or significant. In this case, the scale of the development is modest (3 additional dwellings) and Rhydargaeau is not defined as linguistically sensitive. Therefore a language impact assessment would not be required in this instance. However, the dwellings proposed are modest in scale and respond to current housing needs within the area which include 3 bed properties and therefore may attract those from the locality in any event. It is therefore considered that given the scale of the development and the size of the dwellings, that the development would not have a detrimental impact upon the Welsh Language.

## **Planning Obligations**

The proposal triggers Policy AH1 of the Local Development Plan which requires all developments that result in a net increase in dwellings to provide a financial contribution towards affordable dwellings in the area. In this area, this contribution equates to £74.65 per sqm of the total internal floorspace of the proposed dwellings. As such, a Section 106 agreement is to be entered into to secure the affordable housing contribution calculated on the basis of the 3 additional dwellings being proposed and the applicant has advised that they are content to enter into such an agreement. The development site, given its modest scale falls below the threshold set by policy for contributions towards education or open space provision.

In the event that the required legal agreement is not signed within 12 months from the date of the Planning Committee resolution, delegated authority is given to the Head of Place & Sustainability to refuse the application.

## **Well-being of Future Generations (Wales) Act 2015**

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



## Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposal is located within the settlement extents of Rhydargaeau as defined by the LDP and is of a scale, siting, design and appearance reflective of the overall character and appearance of the village that would not give rise to unacceptable impacts on the living conditions of nearby residents. The proposal would be served by an appropriate access that meets highway standards with satisfactory parking and turning areas to the extent that no highway safety concerns are raised. Furthermore, drainage arrangements are deemed acceptable and appropriate mitigation and enhancement measures are incorporated into the development to the extent that protected species would not be significantly affected and overall biodiversity impacts are minimised and enhanced. Furthermore, the development is not considered to give rise to impacts on the Welsh Language over and above those already assessed as part of the LDP process and the applicant has confirmed that they are willing to enter into a Section 106 agreement to secure affordable housing contributions in the area. Therefore, the application is considered to comply with the above-mentioned policies of the LDP and is recommended for approval subject to the conditions below and completion of the section 106 legal agreement.

### RECOMMENDATION - Approval

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## Conditions & Reasons

### Condition 1

The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.

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

### Condition 2

The development shall be carried out in accordance with the following approved plans and documents:

- Location, Block Plan and Proposed Cross Section [AWD 01 updated 25 March 2022] received 25 March 2022;
- Landscaping Plan [AWD 01 amended 24 February 2022] received 7 March 2022;
- Floor and Elevation Plans Plot 1 received 26 January 2022;
- Floor and Elevation Plans Plot 2 received 26 January 2022;
- Floor and Elevation Plans Plot 3 received 13 December 2021;
- Floor and Elevation Plans Plot 4 received 13 December 2021;
- Preliminary Protected Species Assessment and Bat Activity Survey by Wyndrush Wild received 13 December 2021.

Reason: For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.



### **Condition 3**

The new vehicular access drives for Plot 1 and Plot 4 shall be laid out and constructed strictly in accordance with Typical Layout No. 2, with Plot 2 and Plot 3 laid out and constructed strictly in accordance with Typical Layout No. 3 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

Reason: In the interest of highway safety in accordance with Policy TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 4**

Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 70 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.

Reason: In the interest of highway safety in accordance with Policy TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 5**

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.

Reason: In the interest of highway safety in accordance with Policy TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 6**

The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the details hereby approved 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 and turning facilities is to be obstructed by non-motorised vehicles.

Reason: In the interest of highway safety in accordance with Policy TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 7**

Notwithstanding the details hereby approved, prior to the occupation of plots 1 and 2, full details of the proposed boundary treatments along their respective boundaries with the A485 and shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved.

Reason: In the interests of visual amenity and the living conditions of future occupants in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

## **Condition 8**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C and E other than that hereby approved, shall be carried out without the written permission of the Local Planning Authority.

Reason: To exert control over the future development of the site to ensure that the character and appearance is maintained and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014

## **Condition 9**

The Landscape Design Scheme as illustrated on the Landscaping Plan received on 7 March 2022 hereby approved shall be fully implemented in the first available planting and seeding seasons following commencement of development. Any existing elements retained or translocated; or new elements installed, constructed, planted or seeded in accordance with the approved scheme which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the element in relation to this planning approval is no longer delivered, shall be replaced, within six months of written notification by the local planning authority, or within in the next available planting or seeding season thereafter, with replacement elements of similar size and specification.

Reason: To ensure that the development enhances the character and appearance of the site and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity: thus delivering the objectives of CLDP policies: - SP1 d) and i); GP1 a), f) and i); EQ5; and where appropriate EQ6

## **Condition 10**

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

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

## **Notes / Informatives**

### **Note 1**

**Warning: An European protected species (EPS) Licence is required for this development.**

This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural

Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

## **Note 2**

This application is the subject of a legal agreement to secure financial contributions towards affordable housing.

## **Note 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.

## **Note 4**

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

Mae'r dudalen hon yn wag yn fwriadol