

DYDD MERCHER, 22 CHWEFROR 2023

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, SA31 1JP AM 10.00 YB DYDD IAU, 2AIL
MAWRTH, 2023** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR
AR YR AGENDA SYDD YNGHLWM

Wendy Walters

PRIF WEITHREDWR

Swyddog Democrataidd:	Emma Bryer
Ffôn (Ilinell uniongyrchol):	01267 224029
E-Bost:	Democraticservices@sirgar.gov.uk
Gellir gwyllo'r cyfarfod ar wefan y cyngor drwy'r ddolen canlynol:- https://carmarthenshire.public-i.tv/core/portal/home	

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 (Aelod y Pwyllgor)
Cyng. Terry Davies (Aelod y Pwyllgor)
Cyng. Ken Howell (Aelod y Pwyllgor)
Cyng. Carys Jones (Is-Gadeirydd)
Cyng. Jean Lewis (Aelod y Pwyllgor)
Cyng. Denise Owen (Aelod y Pwyllgor)
Cyng. Dorian Phillips (Aelod y Pwyllgor)
Cyng. Russell Sparks (Aelod y Pwyllgor)
Cyng. Gareth Thomas (Aelod y Pwyllgor)
Cyng. Elwyn Williams (Aelod y Pwyllgor)

GRŴP LLAFUR - 6 Aelod

Cyng. Peter Cooper (Aelod y Pwyllgor)
Cyng. Michelle Donoghue (Aelod y Pwyllgor)
Cyng. Nysia Evans (Aelod y Pwyllgor)
Cyng. John James (Aelod y Pwyllgor)
Cyng. Edward Skinner (Aelod y Pwyllgor)
Cyng. Michael Thomas (Aelod y Pwyllgor)

GRŴP ANNIBYNNOL -1 Aelod

Cyng. Sue Allen (Aelod y Pwyllgor)

HEB GYSYLLTIAD - 1 Aelod

Cyng. John Jenkins (Aelod y Pwyllgor)

A G E N D A

- 1. YMDDIHEURIADAU AM ABSENOLDEB**
- 2. DATGAN BUDDIANNAU PERSONOL**
- 3. PENDERFYNU AR GEISIADAU CYNLLUNIO** 5 - 64
- 4. LLOFNODI YN GOFNOD CYWIR GOFNODION Y CYFARFOD A GYNHALIWYD AR:-**
 - 4 .1 2AIL CHWEFROR, 2023** 65 - 68
 - 4 .2 16EG CHWEFROR, 2023** 69 - 70

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**

02/03/2023

**I'W BENDERFYNU
FOR DECISION**

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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	02.03.2023
REPORT OF:	HEAD OF PLACE AND INFASTRUCTURE

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
PL/05005	Detached Bungalow and Garage at Land part of Gwelfor, Heol Llanelli, Trimsaran, Kidwelly, SA17 4AR
PL/05016	External works including amended and new window and door openings, roof terrace and central courtyard to facilitate the Carmarthen Hwb at Unit A, St Catherines Walk, Carmarthen, SA31 1GA
PL/05071	First floor Extension at Pant Y Dwr Fach, Heol Ty Llwyd, Llanedi, Swansea, SA4 0FJ
PL/05085	Outline Planning Permission for 3/4 Bedroom Residential Property at Land Adjacent to 21 Park Howard Avenue, Llanelli, SA15 3LQ
PL/05112	Construction of three detached dwellings and associated works at Land off Clos Gwyn, Heol Y Neuadd, Tumble, Llanelli, SA14 6AJ

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
PL/04946	Proposed reinstatement of abandoned dwelling to include conversion of adjacent outbuilding into part of the dwelling and all associated works to include a modest side extension to link the two buildings at Blaenaufforest, Ffarmers, Llanwrda, SA19 8QH

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/05005
-----------------------	-----------------

Application Type	Full planning permission
Proposal	Detached Bungalow and Garage
Location	Land part of Gwelfor, Heol Llanelli, Trimsaran, Kidwelly, SA17 4AR

Applicant(s)	L Harvard
Agent	Evans Banks Planning Limited - Richard Banks
Officer	Paul Roberts
Ward	Trimsaran
Date of validation	11/11/2022

Reason for Committee

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

Site

The site is located within the development limits of Trimsaran and is part of a larger allocation for residential development. It is a rectangular parcel of land and consists primarily of semi-improved grassland that is currently unmaintained. There is a mature tree-line along the north-western boundary of the site with an unclassified road and public footpath (57/22) located beyond this. There are a small number of properties located along this road while the site itself is accessed via the B4308 (Heol Llanelli) which is one of the main roads extending through Trimsaran.

There is an extensive planning history associated with the site, some of which is relevant to the consideration of the current application. The wider site of which it forms part has a history of planning approvals for residential development since the 1970s. It has an extant detailed permission for the construction of an access off Heol Llanelli and a detached dormer bungalow under application reference S/05582, with the approved dwelling being located on

the land immediately to the south-west of the current application site. The dwelling was later reduced to a bungalow via a non-material amendment under application S/39101. The approved access is akin to an estate road that extends through the wider site in a north-easterly direction from its access with Heol Llanelli and includes flanking footways and a turning head at its north-eastern periphery.

Whilst the wider site has not been subject to significant development, the Council has acknowledged that a technical start has been made to the detailed permission, principally by virtue of the laying of hardcore to formalise the access. The extant permission does not extend to other plots within the wider site and consequently any further residential development would require planning permission. A separate application has recently been received to vary a number of the conditions on the extant planning permission to allow for the provision of the new access road and associated works prior to the occupation of the bungalow approved on the adjoining plot. This application is still pending.

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

Proposal

The application seeks full planning permission for a detached bungalow and single garage. The dwelling will utilise the access and estate road approved under the extant permission S/05582. The bungalow is of modest proportions consisting of three-bedroom accommodation with its front elevation being characterised by a gable projection. It will be served by off road parking in the form of a side driveway leading to the garage, as well as a generous rear garden area. Its design and layout reflect those of the bungalow previously approved on the adjoining land to the south-west of the site under the extant planning permission.

The application is a resubmission of a previous planning application that was presented to the Planning Committee at its meeting on the 5 July 2022. The Committee resolved to approve the application subject to the completion of a Section 106 agreement securing a financial contribution towards affordable housing and off-site ecology/biodiversity mitigation. However, the applicant's failure to provide sufficient information to enable the progression and completion of the Section 106 agreement during the five-month period following the Committee's resolution, resulted in officers' refusing the application.

Planning Site History

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

PL/05357 - Removal of Conditions 3, 4 & 5 on S/05582 (For the wording of Conditions 3, 4 & 5 to be varied to allow for highway works to be carried out prior to the occupation of any of the dwellings at the site - Pending

PL/01654 - Detached bungalow and garage – Full planning permission refused 28/10/2022

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

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

Head of Public Protection – Has no objection subject to the imposition of conditions.

Trimsaran Community Council – Have objected to the application on the following grounds :

- Highway safety concerns and the need for traffic calming along the roadway.
- The need for Section 106 contributions.
- Japanese knotweed on the site.
- Loss of marshy grassland within the site.
- Surface water problems.

Local Members - County Councillor K Broom has not commented on the application to date.

Dwr Cymru/Welsh Water – Have raised no objection.

Sustainable Drainage Approval Body (SAB) – Have confirmed that the surface water drainage scheme proposed to serve the development will require separate SAB approval.

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

Summary of Public Representations

The application has been publicised with the posting of a site notice within the vicinity of the site. In response, 5 letters of objection have been received from neighbouring residents which raise the following issues of concern.

- Highway safety concerns
- Surface water drainage and flooding problems
- Inaccurate drawings provided with the application.
- Presence of Japanese Knotweed within the site.
- Impact upon existing trees bordering the site
- Impact upon existing pipe adjacent to the site.

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

Appraisal

The site is located within the development limits of Trimsaran and has had a previous planning permission for residential development. It is also allocated for residential development under Policy H1 of the LDP forming part of a larger housing allocation for approximately 23 units (Allocation reference T3/4/h7). The principle of the residential development of the site is therefore well established and in accord with the aims and objectives of the LDP.

The proposed dwelling will be located immediately adjacent to the approved and extant bungalow on the neighbouring plot being of an almost identical scale, design and layout, albeit in a handed arrangement. This uniformity will create a consistent spatial pattern of development, whilst the modest scale and design of the development will ensure it will not appear visually dominant or unduly harm the living conditions of the occupiers of the neighbouring approved plot. The neighbouring properties to the north of the site will be separated from the development by the existing lane and boundary trees and hedgerows that are to be retained as part of the scheme which, combined with the modest size and single storey design of the bungalow, will safeguard against any unacceptable impact upon the living conditions of their occupiers by way of overbearance, loss of light, outlook and privacy. Any permission granted will be conditioned to require the retention and protection

of the existing trees during the development, and prevent the future creation of an access onto the adjacent 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 together with a marshy grassland mitigation and enhancement scheme. The latter will provide compensation for the loss of the marshy grassland within the site which is identified as habitat of principal importance for the purposes of maintaining and enhancing biodiversity in relation to Wales under Section 7 of the Environment (Wales) Act 2016. The mitigation will involve the management of an area of marshy grassland on land some 500 metres to the east of the application site which is also under the applicant's ownership. The Council's Planning Ecologist has confirmed her acceptance of the principle of the mitigation measures proposed subject to the consideration of the detailed management and monitoring plan for the land. Officers are currently awaiting the submission of this detailed plan and its implementation will be secured via a Section 106 agreement.

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.

Turning to the highway safety concerns raised by the respondents, the proposed new dwelling will utilise an approved access point and internal road leading to the site. The Head of Transportation & Highways has raised no objection to the proposal subject to the imposition of suitable conditions and the permission granted will be conditioned in accordance with this advice to safeguard against any unacceptable highway impacts and ensure compliance with policies GP1 and TR3 of the LDP.

In terms of the surface water and flooding concerns raised, the Council's SAB team have raised no objection to the proposal and advised that a separate SAB approval will be required for the surface water scheme proposed to serve the development. Furthermore, from a foul drainage perspective, Welsh Water have raised no objections to the development.

Concerns regarding the accuracy of the drawings submitted are misjudged whereby they accurately depict the development proposed. Moreover, the bungalow and garage will be sufficiently distant of any pipeline that the respondents suggest runs contiguous with the lane at the rear of the site. Finally, in terms of Section 106 contributions, the proposal will provide a contribution towards affordable housing in accordance with the requirements of Policy AH1 of the LDP.

Planning Obligations

Affordable Housing

The development will provide a financial contribution towards affordable housing provision in the area in accordance with Policy AH1 of the LDP. This will be secured via a Section 106 agreement.

Ecology

Given the proposal will result in the loss of marshy grassland within the site, the development will involve the management of an area of marshy grassland on land some 500 metres to the east of the application site to mitigate for this loss. Officers are currently awaiting the submission of the detailed management and monitoring plan for this land and its implementation will be delivered via a Section 106 agreement.

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 examination of the site, together with the representations received to date, the proposed development is considered to be acceptable and in compliance with the key policy objectives of the Authority's LDP as well as those of National Planning Policy. The site forms part of a housing allocation designated in the LDP and has previously had planning permission for residential development. The principle of the development of the site is therefore well established with the scale, design and layout of the proposal being in keeping with the character and appearance of the surrounding area.

The relevant statutory consultees have all confirmed their acceptance of the development in raising no sustained ecology, highway, utility provision or amenity objections to the application.

For these reasons, the application is put forward with a favourable recommendation subject to the completion of the Section 106 agreement securing the implementation of the ecological mitigation measures for the loss of the marshy grassland within the site and the affordable housing contribution, and the imposition of the following conditions :

RECOMMENDATION - Approval

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.

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:

- 1:1250 scale location plan
- 1:500 scale site plan (Plot 2)
- Proposed elevations and floor plan (A104)
- 1:50 scale proposed garage plan and elevations
- Ecological Appraisal Report dated January 2022
- Visibility splay drawing (A10-2)

received 1 November 2022

- Marshy grassland Mitigation and Enhancement Plan dated April 2022

received 10 January 2023

Reason: In the interest of clarity as to the extent of the permission.

Condition 3

No development 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 amenities.

Condition 4

No development 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 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

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 1:500 scale site plan (Plot 2) received on 1 November 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: -

1. 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.
2. 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 6

No development shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the development and retained in perpetuity.

Reason: To ensure the development is drained in an acceptable manner.

Condition 7

The development hereby approved shall be carried out in strict accordance with the Ecological mitigation and enhancement recommendations contained within section 5 of the Ecological Appraisal Report dated January 2022 received on 1 November 2022.

Reason: In the interests of ecology/biodiversity.

Condition 8

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 9

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 dated January 2022 received on 1 November 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 10

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.

Condition 11

No development shall take place on the application site until the applicant has:

1. Prepared a Preliminary Risk Assessment to identify any potentially unacceptable risks arising from contamination at the site. The Preliminary Risk Assessment shall include current and historical information about the site. This can be obtained by undertaking a desk study and a site walkover to identify previous land uses, potential contaminants that might reasonably be expected given those uses and other relevant information, such as pathways and exposure to potential receptors. This information shall also be presented in tabular or diagrammatical form (Conceptual Site Model) for the site and all potential contaminant sources, pathways and receptors shall be included. In order to complete the conceptual site model, it may be necessary at this stage to undertake limited exploratory sampling. The Preliminary Risk Assessment shall be submitted to and be approved by the Local Planning Authority.

The risk assessment should include a mine gas risk assessment that considers the potential for mine gases to exist on the site. The mine gas risk assessment shall be undertaken by a competent person as defined in the National Planning Policy Framework and conducted in accordance with 'CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021'.

2. Designed and implemented a scheme for the investigation and recording of contamination on the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) should aim to provide information to refine and update the conceptual model outlined in the Preliminary Risk Assessment. This investigation should confirm and evaluate the significance of the identified potential contaminant linkages.

The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation, and British Standards. The report shall be submitted to and approved by the Local Planning Authority.

3. Based on the findings of the site investigation and risk assessment, submit detailed proposals for site remediation and verification (Options Appraisal and Remediation Strategy) giving full details of the remediation measures required and how they are to be undertaken. This will demonstrate how the site will be brought to a condition suitable for the intended use by removing any unacceptable risks posed from contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation, and British Standards. The proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason: To ensure that ground contamination is addressed in an acceptable manner.

Condition 12

Prior to the occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. If required, it shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure that ground contamination is addressed in an acceptable manner.

Condition 13

Prior to the occupation of the development, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority (where necessary). The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long-term monitoring and curtailment mechanisms
- Timescales for submission of monitoring reports to the Local Planning Authority
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason: To ensure that ground contamination is addressed in an acceptable manner.

Condition 14

If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Remediation Strategy' then a revised 'Remediation Strategy' shall be submitted to the Local Planning Authority. If, during development, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed 'Remediation Strategy'.

Reason: To ensure that ground contamination is addressed in an acceptable manner.

Condition 15

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 and pedestrian safety.

Condition 16

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 safety.

Condition 17

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 and pedestrian safety.

Condition 18

No development shall commence until a visibility splay of 2.4 metres x 90 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the estate road access junction with the B4308 (Heol Llanelli) in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.

Reason: In the interests of highway and pedestrian safety.

Condition 19

Prior to the occupation of the dwelling herewith approved, the required access roads and footways from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.

Reason: In the interests of highway and pedestrian safety.

Condition 20

There shall at no time be any means of vehicular access to the development from the private access lane located to the north west of the application site.

Reason: In the interest of highway safety.

Notes / Informatives

Note 1

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

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

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

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

Note 2

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

Note 3

The applicant is advised that this planning permission is subject to a Section 106 Agreement Unilateral Undertaking securing an affordable housing contribution and off-site ecology mitigation as part of the development.

Application No	PL/05016
-----------------------	-----------------

Application Type	Full planning permission
Proposal	External works including amended and new window and door openings, roof terrace and central courtyard to facilitate the Carmarthen Hwb
Location	Unit A, St Catherines Walk, Carmarthen, SA31 1GA

Applicant(s)	Head of Regeneration - Jason Jones
Agent	Asbri Planning - Daniel Lemon
Officer	Helen Rice
Ward	Carmarthen North and South
Date of validation	09/11/2022

Reason for Committee

This application is being reported to the Planning Committee as the County Council is the applicant and it has a significant financial interest in the application.

Site

The site is located within the town centre of Carmarthen and comprises the former Debenhams store within the wider St Catherine's Walk retail area of the town. The building comprises the largest retail space within the town centre and was the anchor store for the St Catherine's Walk development that was completed in 2010. The building was occupied by Debenhams up until May 2021 when they vacated the building following collapse of the company. The building has remained largely vacant since albeit the front section of the ground floor has been occupied by the Customer Services Hwb centre for Carmarthenshire County Council and has also been used for pop up seasonal retail events.

The building occupies a prominent location, with the principal façade facing onto the pedestrianised area of St Catherine's Walk, with the side elevation facing directly onto St Catherine's Street and the rear elevation situated along the access road that leads to a multi storey car park and a service yard. The north elevation adjoins the remaining stores within the St Catherine's Walk area, with the immediately adjacent unit currently occupied by Cotswold. The building was designed as the flagship store for the wider development and

as such is the largest building of the wider complex with a corner glazed feature on the corner with St Catherine's Road and the pedestrian crossing.

The two storey building with part 3rd floor stock room is of a steel frame and cavity masonry wall construction, with the outer leaf of the external walls being part natural store and part rendered finish.

Proposal

The proposal relates to the change of use of the building from a retail store to provide a community hub building that would provide a variety of public uses including health, leisure, culture and education in partnership with Carmarthenshire County Council, Hywel Dda University Health Board and University of Wales Trinity St David. The overall vision is to provide a better integrated, more accessible and more sustainable public services hub, that would complement and help to drive commercial and community activity in a prominent location within Carmarthen town. The uses within the building will include dedicated health and wellbeing areas bringing together Health Board, Local authority social care and third sector provision, exhibition space to house a new collections centre managed by the Council's Museum service, learning areas to support additional degree courses where there is value in co-location with health and well being providers, Carmarthenshire Council's community services hwb information point and a health and fitness suite/gymnasium.

The application site lies within the Carmarthen Local Development Order(LDO) which allows for certain changes of use to take place without requiring full planning permission. Consequently, the change of use of the building from retail to a community hub has already received certification through the LDO process. However as the LDO only covers the change of use of buildings, any external works requires full planning permission. Therefore, this application only seeks planning permission for works to the building.

The scheme has changed during the course of the application with amendments made to the extent of works proposed, including omission of a previous proposal to create an open central courtyard/atrium following removal of the escalator which required a new roof opening.

The works as now proposed primarily relate to extensive internal alterations including a complete strip, replacement of all services and finishes, construction of new internal partitions and finishes to create subdivided tenant spaces, removal and creation of new internal staircases and removal of existing internal escalators to make space for a new internal circulation space. Externally, the existing masonry walls will be largely retained albeit some new openings to form new windows and ventilation louvre area will be created and part of the existing curtain walling in the projecting bay to the south of the building's main entrance will be removed and replaced with a new assembly incorporating new glazing, exit doors and ventilation louvers. Existing commercial shopfront windows will be retained whilst existing signage will be removed and replaced with new signage. Solar panels are to be installed on the roof along with additional M&E services.

Internal works do not require planning permission and therefore this application only relates to the above mentioned external works proposed.

Planning Site History

W/22188 - 6 NO. BANNER SIGNS, 3 NO. BOX FASCIA SIGNS, 1 NO. INDIVIDUAL LETTERS FASCIA SIGN - Advertisement Granted - 26/1/2010

W/15465 - APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR THE EXTERNAL APPEARANCE AND LANDSCAPING OF THE MIXED USE RETAIL/LEISURE DEVELOPMENT. - Reserved Matters Granted - 17/5/2007

W/11604 - OUTLINE APPLICATION FOR MIXED USE RETAIL / LEISURE DEVELOPMENT - Outline Granted - 6/7/2006

Planning Policy

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

SP1 Sustainable Places and Spaces

SP2 Climate Change

SP3 Sustainable Distribution - Settlement Framework

SP11 Renewable Energy & Energy Efficiency

SP12 Waste Management

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

EQ4 Biodiversity

[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

Local Members - Councillor A Lenny, Councillor P Hughes-Griffiths and Councillor G John have not commented on the application.

Carmarthen Town Council – confirmed their support for the development.

Head of Transportation & Highways - No objections in principle given highly sustainable location of the site, however further information in relation to car parking requirements and whether drop off/pick up points should be considered.

Head of Public Protection - No objections.

Sustainable Drainage Approval Body – No objections.

Dwr Cymru/Welsh Water – confirm that a distribution watermain is located in close proximity to the site and partly crosses the site. A list of conditions to ensure that any works would not affect upon the watermain are suggested.

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

Summary of Public Representations

The application was the subject of notification by way of two site notices, one on the entrance into the building and one on the St Catherine's Street elevation. No representations were received as a result.

Appraisal

As referred to above, this application only seeks permission for the external works to the building only. The use of the building has already obtained permission via a Certificate of Conformity under the Carmarthen Local Development Order. As a consequence, the main consideration of this case is the impact of the proposed external works on the character and appearance of the area.

Impact upon the character and appearance of the area

Policy GP1 of the LDP specifies that development proposals will be permitted where it confirms with and enhances the character and appearance of the building and the area within which it is situated. The proposed development in terms of the external works are limited and generally the appearance of the building, save for the insertion of windows on the upper floors, additional fire escape doors and renewal of some of the existing curtain walls along with insertion of secondary glazing on some of the existing windows, would be retained. This is especially the case given that new openings would use materials that match the existing. The most visually prominent change discernible to the public would be removal of the 'Debenhams' signage and its replacement in due course. The other addition would be the placement of solar PV panels on part of the roof space and new M&E on other areas. These additions would not be visually prominent from street level and would largely be screened by the addition of louvre screens that would sit within the wider context of the building as well as the height of the building itself. Whilst views of the roof space would be attainable from surrounding higher ground, given the distance and the manner in which such additions would be viewed with the context of the wider roof scape of the town it is not considered that it would give rise to any unacceptable impacts. In summary therefore, it is considered that the proposed external works to the building would conform with the existing building. Furthermore, whilst not within, the site does lie adjacent to the Carmarthen Town Conservation Area. The application has been the subject of consultation with the Built Heritage Team who have raised no objections to the scheme on grounds that the works would not impact upon the setting of the Conservation Area.. The proposal is therefore deemed to comply with Policies GP1 and SP13 of the LDP.

Impact on biodiversity

The proposals have the potential to impact on protected species such as bats due to the new openings and works to the roof. As a result the application was accompanied by a protected species survey which found no signs of bats roosting in the building and consequently concludes that the buildings hold negligible potential for bats. The report has been assessed by the Council's Planning Ecologist who agree with the report conclusion and therefore offers no objections to the application subject to the imposition of a note advising that in the event bats are found that works are to stop immediately and contact is made with NRW. On this basis, the proposal is considered to comply with Policy SP14 of the LDP.

Other matters

Whilst the comments of the highway officer are acknowledged, it is the case as the comments relate to the use of the building that they are not matters for consideration under this application as the principle of the change of use already has permission. Nevertheless, it is advised that the proposals put forward mention the provision of an ambulance drop off/pick up location within the existing service yard area of the building. Furthermore, evidently the site is within a highly sustainable location with a number of public car parking areas in close proximity.

Members are also advised that a Noise Impact Assessment was submitted as part of the application and is also the subject of a separate application to discharge conditions on the LDO certificate of conformity in relation to the use. The Authority's Public Protection Team have reviewed the document and offer no objections.

Planning Obligations

None applicable.

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, in so far as it only relates to the external works proposed, would not have an unacceptable impact upon the character and appearance of the area nor the setting of the nearby Carmarthen Town Conservation Area and would not impact upon biodiversity and is therefore deemed to comply with Policy GP1 and SP13 of the Local Development Plan 2014 and is recommended for approval subject to the below conditions.

RECOMMENDATION - Approval

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:

- Proposed Site Plan [DDR-A-00100 P01]
- Proposed Basement Floor Area Plan [DDR-A-00115 P01]
- Proposed Ground Floor Area Plan [DDR-A-00116 P02]
- Proposed First Floor Area Plan [DDR-A-00117 P02]
- Proposed Roof Plan [DDR-A-00114 P01]
- Proposed Second Floor Plan [DDR-A-00118 P01]
- Proposed East and South Elevations [DDR-A-00120 P01]
- Proposed West and North Elevations [DDR-A-00121 P01]
- Proposed Section A and B [DDR-A-00130 P01]
- Proposed Section C and D [DDR-A-00131 P01]
- Design Statement by Austin Smith Lord

received 10 February 2023

- Protected Species Report by Habitat Matters
- Noise Impact Assessment

received 4 November 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

Prior to their installation, full details of the materials and finishes of the plant louvre screens 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 the proposals harmonise with the existing building in the interests of visual amenity in accordance with Policy GP1 of the LDP.

Notes / Informatives

Note 1

All British bat species are protected by virtue of the EC Habitats Directive, the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981. It is an offence to intentionally kill, injure, take from the wild, possess or trade any species of British bat as well as intentionally or recklessly damage, destroy, or obstruct access to any structure or place which bats use for shelter or protection and to disturb bat(s) whilst they are using such a place. If bats are encountered all works must cease immediately and contact made with Natural Resources Wales via enquiries@naturalresourceswales.gov.uk or 0300 065 3000 for further advice.

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).

Application No	PL/05071
-----------------------	-----------------

Application Type	Householder planning permission
Proposal	First floor Extension
Location	Pant Y Dwr Fach, Heol Ty Llwyd, Llanedi, Swansea, SA4 0FJ

Applicant(s)	Oakmont Services Group Limited
Agent	Evans Banks Planning Limited - Richard Banks
Officer	Adam Davies
Ward	Tycroes
Date of validation	23/11/2022

Reason for Committee

This application is being reported to the Planning Committee following a request by Councillor Tina Higgins.

Site

The application site is around 0.5km outside the main settlement of Llanedi, in a small cluster of houses consisting of itself (Pant Y Dwr Fach), Pant Y Dwr Newydd, Pant Y Dwr Uchaf and Brodawl which is situated at the beginning of the track leading to the application site. The rear and flanks of the property are pasture field, while the front faces the neighbouring property.

Proposal

The application seeks to provide an extra bedroom in the form of a first-floor extension. The extension will look to raise the roof of the existing dwelling to just under 2 metres with the pitch matching that of the previous roof and the roof of the main dwelling. The extension will provide 2 new external windows to the side elevation, overlooking the farm complex. However, one existing window will be obscure glazed as it will serve a bathroom. The external finishes will match that of the original dwelling.

Planning Site History

PL/04851 - Lawful development: Proposed use – 11/10/2022 - CLOPUD – Approval: Based upon the information submitted, the view was taken that the use of the property for the care and supervision of a maximum of 4 young people (aged 11 – 18) with specific needs, supported by qualified and experienced staff on a 1:1 ratio is not a material change of use of the property. Both existing and proposed uses fall into the same Use Class, namely Class C3.

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')
Policy GP1 Sustainability and High-Quality Design
Policy GP6 Extensions

[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

Llanedi Community Council – no comment received to date

Local Member – County Councillor Tina Higgins requested the application be considered at planning committee due to concerns raised by residents as follows:

- The property is accessed via an unmade lane owned by another property with an easement for use for domestic purposes only.
- There are no parking facilities on the lane and limited turning space for large vehicle using this access. Parking on the access lane could hinder emergency services attending one of the other two properties nearby. There is also limited parking at the property.
- The property is not connected to the main sewage system but is serviced by a cesspit.
- The extension to the property is not in keeping with current properties in the vicinity which sit in a rural farming area. Immediate land and buildings are used for agricultural purposes.
- PL/04851 was passed on 23 November 2022 under the delegated powers process given that the Certificate of Lawful of Proposed use or Development application did not require any publication or consultation, as it hinged purely on the legal aspects of the proposal. There were no consultations with the local member on that application.
- The application for a proposed residential care facility to accommodate 4 children between the ages 11-18 was granted a Certificate of Lawful Development under delegated authority

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

Summary of Public Representations

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

- The proposed extension is not within the keeping and usage of the immediate surrounding area. The immediate buildings and land are used for agricultural purposes including the grazing and breeding of livestock.
- The proposed change of use of this property will result in increased human activity including noise, disturbance and anti-social behaviour. (This is the case at other similar properties owned and managed by the same company at Drefach and Pwll).
- The proposed development will result in significant loss of privacy and apprehension for all residents.
- Access will be over a private road owned and maintained by a neighbour, the neighbour raises concern regarding easements over their land which would be a civil matter.
- The second storey extension will have windows at a height that will be perceived to overlook the neighbouring property.
- Any proposed construction work will adversely impact upon neighbouring residents and the enjoyment of their domestic spaces
- The proposed extension may increase vehicle movements to the applicant's property, whereby the existing access is considered inadequate.
- The proposal is not considered appropriate to such a rural setting
- The proposed extension may give rise to increased noise from the property.

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

Appraisal

Principle of development

The proposal is for a modest first floor extension onto an existing single storey element of the house. The size, scale and appearance of the proposed extension compliments the existing dwelling and will not appear overly large or incongruous with the existing house, this would be in compliance with Carmarthenshire local development plan policy GP1 and GP6.

Residential amenity

The size and location of the extension is sufficiently distant, and partly screened, by existing agricultural buildings on the farmstead. The residential garden to the nearest third-party property would be 20 metres distance and behind an existing single story farm building

which would adequately screen and limit any perceived views from the proposed extension. The existing house presently has two first floor windows on to the same elevation with the same visual perspective towards the relevant third-party property. This is considered adequate to limit any perceived loss of amenity or privacy to that neighbouring property. This also complies with Carmarthenshire Local development plan policies GP1 and GP6.

Highways

The proposal is for a modest extension which will not amount to any significant increase in vehicle movements and would not justify any highway improvements. The property presently benefits from a minimum of 3 car parking spaces, whereby there is no policy requirement for any elevated number of car parking spaces at the property.

Biodiversity

The proposal was accompanied by a bat survey that concluded that there was no evidence of bats utilising the existing dwelling and that the property had negligible potential to support bats. As such, the works would not require an European Species Licence. Nevertheless, the bat survey includes proposed for biodiversity enhancement in the form of bat boxes and a house martin next cup which is deemed acceptable and therefore the proposal is considered to comply with Policy Sp13 of the LDP.

Other Matters

The third-party respondents refer to issues relating to disturbance during any construction phase, as well as possible disturbance – anti social behaviour – from proposed residents at the property. There is no evidence to substantiate this claim, while other statutory controls would apply and police the residential use of the property. These are therefore not material planning considerations for this proposed residential extension.

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

On balance, and after careful examination of the site and its surrounding environment, together with the representations received to date, the scale and design of the proposed single storey extension is considered to be acceptable and in keeping with the character and appearance of the existing property and surrounding area. The extension is subordinate and compatible to the size, design and character of the host property and the local amenities of the adjacent occupiers will not be adversely affected by the development.

The proposal is therefore considered to be in accord with Policies GP1 and GP6 of the adopted Local Development Plan and is put forward with a favourable recommendation.

RECOMMENDATION - Approval

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:-

- Proposed Floor Plans (A105) received 16/11/2022;
- Proposed Elevations Plan (A106) received 16/11/2022;
- Block Plan received 16/11/2022;

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

Before the development hereby permitted is first brought into use, the bathroom at first floor level (as shown on Proposed Floor Plans (A105)) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.

Reason: In the interest of privacy.

Condition 4

The external wall materials shall match those of the original dwelling.

Reason: In the interests of visual amenity in accordance with Policy GP1 of the LDP.

Notes / Informatives

Note 1

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

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

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

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

Note 2

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

Application No	PL/05085
-----------------------	-----------------

Application Type	Outline planning consent - all matters reserved
Proposal	Outline Planning Permission for 3/4 Bedroom Residential Property
Location	Land Adjacent to 21 Park Howard Avenue, Llanelli, SA15 3LQ

Applicant(s)	Rachel Thomas
Agent	Alpha Design & Planning - Keith Thomas
Officer	Zoe Baxter
Ward	Lliedi
Date of validation	29/11/2022

Reason for Committee

This application is being reported to the Planning Committee following the receipt of three or more objections from third parties.

Site

The application site comprises part of the existing rear garden area of No.21 Parc Howard Avenue, which is a large, detached dwelling with a vast and extensive curtilage. Part of the application site is currently occupied by a flat roof garage which exits out on to Parc Howard Avenue adjacent to the driveway serving No 23. The existing garage is located at road level whilst the land forming the rear garden of No 21 is located at a higher level to the rear of the garage.

The application site is approximately 17m at its widest point to the front narrowing to 13m and 15.5m in depth.

The site is located in a primarily residential area consisting of a mix of detached and semi-detached properties. The neighbouring property of 21 Park Howard Avenue has an extensive front and rear garden whilst the semi-detached properties immediately to the north have smaller sized gardens and driveways.

Proposal

The application seeks outline planning permission with all matters reserved to demolish the existing garage and replace with a detached 3/4 bedroom dwelling. The application is supported by an Indicative Layout which shows vehicle access with two parking spaces to the south of the site and dwelling positioned towards the north of the site.

The indicative layout shows a detached dwelling situated generally in line with the building line of properties to the north fronting Park Howard Avenue with dedicated driveway to the side and private amenity garden to the rear. As required by regulations, the application includes proposed parameters for the dwelling as follows:

- Ridge height - 7.2 – 8.2m
- width - 8 – 10m
- depth - 7 – 7.5m

The Indicative Site Plan shows that a new retaining wall with a 1.8m high timber fence will be constructed to the rear (west) and side (south) boundary.

Whilst the application reserves all matters for future consideration, additional details have been requested from the agent to consider the application given the change in levels at the application site. As such, site sections showing the indicative dwelling have been provided. The application has also been accompanied by a Mining Risk Assessment given the site's location within the Development High Risk Area.

Planning Site History

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

D5/15613 - SINGLE DWELLING HOUSE - Full Granted - 31/3/1994

S/01872 - PROPOSED DOUBLE GARAGE WITH ANCILLARY ACCOMMODATION ABOVE - Householder Granted - 8/7/1999

S/36017 - CONSTRUCTION OF GROUND FLOOR REPLACEMENT GARAGING WITH FIRST FLOOR RESIDENTIAL FLAT - Full Granted - 13/11/2017

PL/02685 - Variation of Condition 2 on S/36017 (Construction of ground floor replacement garaging with first floor residential flat) - Removal / Variation of Condition Refused - 28/10/2021

Planning Policy

In the context of the Authority's current Development Plan the site is within the defined development limits of Llanelli as contained in the adopted Local Development Plan (LDP). It is not the subject of any designation or allocation in the Plan. Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces
SP3 Sustainable Distribution- Settlement Framework
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
EQ4 Biodiversity
EP1 Water Quality and Resources

[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 conditions.

Head of Public Protection - No adverse comments to make.

Contaminated Land – No objection subject to conditions.

Sustainable Drainage Approval Body – advise separate SAB approval is required.

Llanelli Town Council – Object on the basis that the proposal is out of keeping with other properties in the locality and disproportionate development for the location proposed.

Local Member(s) - Councillor Rob James has not commented to date.

Local Member(s) - Councillor Anthony Leyshon has not commented to date.

Dwr Cymru/Welsh Water - no objection subject to conditions.

Coal Authority – no objection subject to conditions.

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

Summary of Public Representations

The application was the subject of notification by way of neighbour letters.

Four representations were received, all objecting, and the matters raised are summarised as follows:

- Proposed development would overlook garden resulting in privacy concerns.
- Proposal would reduce light to rear gardens.

- Properties are traditional in character along Park Howard and a new build would not suit the area.
- The scale, appearance and impact of a large modern house on Buckley House, surrounding properties would be detrimental.
- Road safety concerns as Parc Howard is very busy.
- Lack of sufficient parking in the area already.
- Risk of subsidence to surrounding area.
- Proposal will result in displacement of wildlife and may result in the loss of some trees.
- There are existing houses on the market in the area, building another is unnecessary.
- Construction would cause noise, disturbance and mess.
- Construction period would cause disruption to emergency vehicles, council services and normal traffic.
- Construction may impact access to neighbouring driveway.
- No contact from the applicant's regarding the application.

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

Appraisal

Principle of development

The principle of residential development at the site has previously been accepted through the granting of planning permission in 2017 for a ground floor replacement garage at first floor flat. Historically planning permission was granted by an Inspector in 1994 for a single dwelling house and in 1999 the Local Authority permitted a double garage with ancillary accommodation above.

The site is also located within the defined development limits whereby new residential development is typically supported subject to relevant policies within the Local Development Plan and is within an established residential area.

As such, it is considered that the principle of residential development at the site has been accepted.

Impact upon character and appearance of the area

In terms of character, as identified above three previous approvals relate to this site. Despite the LPA refusing outline planning permission for a dwelling in 1993 for reasons relating to character, an appeal against this decision was upheld, with the Inspector concluding that a dwelling in this location would not result in a cramped form of development and would not adversely affect the character of the area. A subsequent application was approved in 1999 for a double garage with ancillary accommodation above, establishing the acceptability in principle for such a development.

Furthermore, the 2017 application permitted a double garage at ground floor with a first floor flat. Whilst the current application is outline with all matters reserved, the scale parameters have been revised and are now largely in line with the footprint of the building approved as part of the 2017 permission.

In terms of the appearance of the dwelling, this is reserved for future consideration, alongside access, scale, layout and landscaping. As part of a future reserved matters

application the LPA will have the opportunity to ensure that the design and appearance and materials proposed for the dwelling are complementary and in keeping with the local vernacular of the area. It is also worth noting that the LPA has previously refused an amendment to the 2017 permission on the basis of the proposed scale, design and appearance being discordant and visually out of character with the area. This should provide reassurance to Members that the LPA will seek a suitably designed dwelling with appropriate materials respecting local vernacular as part of any subsequent reserved matters application.

The application is accompanied by a Proposed Site Plan which shows an indicative layout for the site and minimum and maximum parameters for the dwelling.

The parameters proposed have been reduced through the consideration of the application and allow for a suitably sized detached dwelling on site alongside dedicated car parking and rear garden area. The maximum ridge height is limited to 8.2 metres to ensure that the dwellings are of similar scale to properties within the surrounding area. The width and depth of the proposed dwelling will be up to 10m and 7.5m, similar to the previously approved scheme. The proposed parameters for the dwelling along with the information concerning the indicative layout is considered appropriate for the site.

Privacy impacts and loss of light

Concerns are also raised in relation to the difference in site levels and the potential for overlooking and loss light for neighbouring properties. At present no further details are provided in relation to the position, design and appearance of the dwelling. This will be provided as part of a subsequent reserved matters application. In addition to the reserved matters, a condition is also proposed to be imposed requiring submission of site sections and finished floor levels to ensure the development does not adversely affect the character and appearance of the area or result in detrimental impact on residential amenity as required by Policy GP1.

Highway Impacts

With regards to car parking, as aforementioned the proposal is presently outline with all matters reserved, so the site layout and parking arrangements will be confirmed at reserved matters. However, the Highway Authority have recommended a number of conditions including submission of a parking scheme as part of the development. This will ensure that parking spaces are provided within the curtilage of the site so as not to result in additional on street parking requirements.

The existing property at no.21 Parc Howard Avenue benefits from having an alternative driveway and parking arrangements. Therefore, the proposal will not further reduce the availability of on street parking.

The Highway Authority have confirmed no objection to the proposed development subject to the imposition of recommended conditions.

Biodiversity Impacts

Concerns are also raised over impact on wildlife and loss of trees. A condition is imposed requiring any reserved matters application to be accompanied by a Biodiversity Enhancement Scheme to ensure that development at the site complies with the Environment

(Wales) Act 2016 and relevant requirements within Planning Policy Wales (PPW) (Edition 11).

A Bat Scoping Survey has also been requested given the scheme includes demolition of the existing garage on site.

Land Stability Concerns

A number of objections received raise concerns over subsidence and land stability due to historic coal mining. The application has been supported by a Coal Mining Risk Assessment given the site's location within the Coal Authority Development High Risk Area.

The Report makes recommendations for the carrying out of intrusive ground investigations in the form of boreholes in order to establish the presence or otherwise of shallow coal mine workings and to inform any necessary remedial measures required.

The Coal Authority has been consulted on the planning application and concurs with the recommendations of the Mining Risk Assessment Report that coal mining legacy potentially poses a risk to the development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation. The Coal Authority recommends that a planning condition is imposed requiring such site investigation works to be undertaken. In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to undertaken prior to commencement of the development. As such, conditions to this effect are proposed to be imposed on any planning permission granted.

Other Matters

Concerns were also raised by neighbouring occupiers in relation to disturbance caused during the construction period. It is acknowledged that demolition and construction of any new development will result in an element of disturbance. Given the residential nature of the surrounding area, it is considered suitable to impose a condition to restrict construction working hours. The proposed development comprises demolition of an existing garage and construction of a single residential dwelling and therefore the level of disturbance is not considered to be significant to warrant recommending refusal. Neighbouring properties accesses should not be impacted upon by the development or construction phase.

Comments made in relation to existing properties being on the market in the area are not of relevance to the application. In terms of neighbour consultation, the LPA has complied with statutory requirements in this respect and whilst it is recommended, there are no requirements for the applicant to discuss planning applications directly with neighbours.

Planning Obligations

The Heads of Terms have been issued to the applicant to secure the required affordable housing contribution. The Authority's legal team will be instructed to complete the Unilateral Undertaking subject to a resolution being received from the Planning Committee to grant planning permission. As such, the application will comply with the requirements of Policy AH1.

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 based on the latest plans, alongside third-party comments and planning history, it is concluded on balance that the proposed dwelling is acceptable given the application site is located within the defined settlement limits as delineated within the Adopted LDP and therefore there is no in-principle objection to developing the site for residential use. Furthermore, residential development of the site has previously been accepted through the granting of planning permission for a detached building of similar scale at the site by an Inspector and the LPA.

Although the application is presently in outline form, with all matters reserved, the submitted plans and information demonstrate that the application site can adequately accommodate a single detached dwelling of the indicated scale parameters with associated access, parking and amenity areas.

It is considered that the issues of concern and objection raised have adequately been addressed as part of the above appraisal and that any issues concerning loss of amenity associated with the proposed development will be addressed further as part of the reserved matters submission.

On balance, the proposal is considered to be in accordance with the above identified LDP policies.

The application is therefore put forward with a favourable recommendation subject to the applicant entering into a unilateral undertaking or Section 106 Agreement securing a commuted payment towards the provision of affordable housing in the locality in accordance with the requirements of Policy AH1 of the LDP.

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 given to the Head of Place & Sustainability to refuse the application.

RECOMMENDATION - Approval

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, 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 layout, scale, appearance and landscaping together with means of access to 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 Site Location Plan and Existing Site Plan (drawing no. PRT 001) received 18 November 2022.

Reason: For the avoidance of doubt.

Condition 5

Any reserved matters application shall be accompanied by full cross sections, finished floor levels, proposed materials/external finishes and means of enclosure so that the proposal can be seen in the context of the road and the surrounding dwellings.

Reason: In the interests of visual amenity.

Condition 6

Notwithstanding the submitted plans, the site shall provide a maximum of one dwelling of the following scale parameters:

Ridge Height : 7.2m - 8.2m
Width : 8m - 10m
Depth : 7m – 7.5m

Reason: For the avoidance of doubt or confusion as to the extent of the permission hereby granted and in the interests of visual amenity – Policies SP1 and GP1 of the adopted Carmarthenshire Local Development Plan.

Condition 7

The new vehicular access shall be laid out and constructed strictly in accordance with Typical Layout No. 1 (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, Policy TR3 of the adopted Carmarthenshire Local Development Plan.

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, Policy TR3 of the adopted Carmarthenshire Local Development Plan.

Condition 9

The existing means of vehicular access into the site shall be permanently stopped up, and the public highway reinstated to the written approval of the Local Planning Authority, prior to the new means of vehicular access herein approved, being brought into use.

Reason: In the interest of highway safety, Policy TR3 of the adopted Carmarthenshire Local Development Plan.

Condition 10

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 Parc Howard Avenue Road frontage within 2.4 metres of the near edge of the carriageway.

Reason: In the interest of highway safety, Policy TR3 of the adopted Carmarthenshire Local Development Plan.

Condition 11

Prior to any use of the access by vehicular traffic, a visibility splay of 2.0 metres x 25.0 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.

Reason: In the interest of highway safety, Policy TR3 of the adopted Carmarthenshire Local Development Plan.

Condition 12

Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.

Reason: In the interest of highway safety, Policy TR3 of the adopted Carmarthenshire Local Development Plan.

Condition 13

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

Reason: In the interest of highway safety, Policy TR3 of the adopted Carmarthenshire Local Development Plan.

Condition 14

No development shall take place on the application site until the applicant has:

1. Prepared a Preliminary Risk Assessment to identify any potentially unacceptable risks arising from contamination at the site. The Preliminary Risk Assessment shall include current and historical information about the site. This can be obtained by undertaking a desk study and a site walkover to identify previous land uses, potential contaminants that might reasonably be expected given those uses and other relevant information, such as pathways and exposure to potential receptors. This information shall also be presented in tabular or diagrammatical form (Conceptual Site Model) for the site and all potential contaminant sources, pathways and receptors shall be included. In order to complete the conceptual site model, it may be necessary at this stage to undertake limited exploratory sampling. The Preliminary Risk Assessment shall be submitted to and be approved by the Local Planning Authority. The risk assessment should include a mine gas risk assessment that considers the potential for mine gases to exist on the site. The mine gas risk assessment shall be undertaken by a competent person as defined in the National Planning Policy Framework and conducted in accordance with 'CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021'.
2. Designed and implemented a scheme for the investigation and recording of contamination on the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) should aim to provide information to refine and update the conceptual model outlined in the Preliminary Risk Assessment. This investigation should confirm and evaluate the significance of the identified potential contaminant linkages. The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation, and British Standards. The report shall be submitted to and approved by the Local Planning Authority.

3. Based on the findings of the site investigation and risk assessment, submit detailed proposals for site remediation and verification (Options Appraisal and Remediation Strategy) giving full details of the remediation measures required and how they are to be undertaken. This will demonstrate how the site will be brought to a condition suitable for the intended use by removing any unacceptable risks posed from contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation, and British Standards. The proposals shall be submitted to, and have received in writing the approval of, the Local Planning Authority prior to commencing the works.

Reason: To ensure appropriate investigation and mitigation work is carried out for any potential risks from contaminated land.

Condition 15

Prior to occupation of the proposed development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. If required, it shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure appropriate investigation and mitigation work is carried out for any potential risks from contaminated land.

Condition 16

Prior to occupation of the proposed development, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority (where necessary). The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long-term monitoring and curtailment mechanisms
- Timescales for submission of monitoring reports to the Local Planning Authority
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason: To ensure appropriate investigation and mitigation work is carried out for any potential risks from contaminated land.

Condition 17

If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Remediation Strategy' then a revised 'Remediation Strategy' shall be submitted to

the Local Planning Authority. If, during development, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed 'Remediation Strategy'.

Reason: To ensure appropriate investigation and mitigation work is carried out for any potential risks from contaminated land.

Condition 18

Any soil (or similar material) imported must be suitable for use and any soil arising from elsewhere on the development site must be subject to the same requirements as imported materials. The CL:AIRE Code of Practice (CoP) must be referred to if the developer intends to reuse site won materials. The CoP provides a clear, consistent and streamlined process which enables the legitimate re-use of materials on site. Please refer to the CL:AIRE website (<https://www.claire.co.uk/projects-and-initiatives/dow-cop>) for further information on the CoP. Details of any soil (or similar material) to be imported to site must be provided in writing to Environmental Protection via the Local Planning Authority prior to importation. Details should include the source of the soil, sampling frequency and a certificate of analytical results with full rationale and justification undertaken by a suitably qualified individual. The developer should refer to the WLGA guidance document 'Requirements for the Chemical Testing of Materials for Various End Uses' (2013), which presents the specific sampling frequencies for imported materials, dependent upon the quantities to be imported and their proposed use at a development. The document outlines the process for ensuring all required information is submitted in relation to the relevant planning condition in a series of step-by-step actions

Reason: To ensure suitable material is utilised on site.

Condition 19

No development shall commence until;

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests land stability and public safety.

Condition 20

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests land stability and public safety.

Condition 21

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 22

Any reserved matters application shall be accompanied by a biodiversity enhancement scheme, indicating biodiversity enhancement of this site including locations, types, specifications and numbers of any proposed biodiversity enhancement measures. The proposed measures are required to be submitted on an annotated plan and implemented thereafter as approved.

Reason: To ensure the development complies with the Environment (Wales) Act 2016 and PPW (Edition 11).

Condition 23

Construction or demolition works should only be undertaken between the following times, unless prior written consent is received from the Local Authority:

Monday to Friday – 7:30 – 18:00

Saturday – 08:00 – 14:00

No noise generating works shall be carried out on Sunday, bank or public holidays.

Reason: In the interest of residential amenity.

Condition 24

Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted and SAB approval has been granted for the scheme. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of the dwelling.

Reason: To ensure an adequate drainage scheme is designed and implemented at the site.

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

The affordable housing contribution required in line with Policy AH1 of the Local Development Plan has been secured with the applicant entering into a Unilateral Undertaking to pay £53.35 per sqm of internal floorspace.

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

- Please see the relevant responses from the Council's Sustainable Drainage Approval Body (SAB), Highway Authority, Coal Authority and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.

Application No	PL/05112
-----------------------	-----------------

Application Type	Full planning permission
Proposal	Construction of three detached dwellings and associated works
Location	Land off Clos Gwyn, Heol Y Neuadd, Tumble, Llanelli, SA14 6AJ

Applicant(s)	Sauro Architectural Design Ltd - Peter Sauro
Agent	Sauro Architectural Design Ltd - Peter Sauro
Officer	Andrew Francis
Ward	Llannon
Date of validation	05/12/2022

Reason for Committee

This application is being reported to the Planning Committee as the application has received three or more letters of objection.

Site

The application site comprises a broadly rectangular shaped area of land that is to be accessed off the northern flank of Clos Gwyn, a residential cul-de-sac of 10 dwellings situated off Heol y Neuadd, Tumble. The land that forms the application site is set at a lower level than the road and is land that is associated with the former Derlwyn Bus Depot.

The site has a road frontage of approximately 32.5 metres and a maximum plot depth of 29.4 metres along its north-eastern edge land and a minimum depth of 22.5 metres on its south-western edge. Overall, the site measures 0.08 Ha. The plot is approximately 1.6 metres below the level of the road.

The site is close to the centre of the village and its amenities, including Y Tymbl CP Primary School and also close to the Mynydd Mawr Woodland Park.

Proposal

The application seeks full planning permission for residential development of three dwellings at the site along with associated access, car parking, landscaping and infrastructure works. The proposal involves three detached two storey residential units to be built, with two described as 2 bedroom dwellings and one, 4 bed dwelling on the above described land.

The detached, 2 bedroom dwellings each have a lounge, open plan kitchen & dining area, large utility room, hallway and downstairs WC on the ground floor, with two bedrooms (one en-suite), and another large space accessed off the second bedroom, along with a separate study and family bathroom. These are large 2 bedroom dwellings, with a study and another space accessed off the second bedroom, which could potentially become 3 or even 4 bed dwellings, based on their footprint. The reason they are not it seems relates to the lack of car parking available. These units measure 6.78 metres in width by 10.6 metres in depth and a maximum height of 8.22 metres.

The 4 bedroom dwelling is only 10 square metres larger in area and proposes a lounge, study, kitchen/dining room, utility room, hallway and WC on the ground floor, with 4 bedrooms (one en-suite) and family bathroom at first floor. This house measures 7.89 metres in width by 9.93 metres in depth and a maximum height of 7.8 metres.

Externally, all three dwellings present a gable frontage, with the front entrance provided under a small porch feature in the recess to the side of the gable. The gable is to have a contrasting finish, with a brickwork shown on the plans, with rendered walls shown on the remainder. Six solar panels are shown on the roof to aid energy efficiency.

All three dwellings have rear gardens of approximately 8 metres, laid to lawn, with a small patio area and a 1.8 metre timber fence delineating the rear and the bulk of the side boundaries, with a 0.9 metre post and rail fence marking the side boundaries for approximately the first 5 metres back from the highway. Berry bearing planting is proposed at the rear of the gardens, along with the provision of a log pile to support the maintenance of biodiversity. The four bed dwelling has a small front garden area, with vehicular parking to the side for 3 cars. The two bed dwellings have the vehicular parking to the front of the dwellings for two cars.

Based on comments received from the Head of Transport, the access to the plots has been amended to show a maximum gradient of 1:10, a visibility splay of 2 metres by 25 metres for each plot and plots 2 and 3 access combining to a standard Typical Layout. In order to provide the gradient that would be acceptable, the ground is to be built up with clean hardcore.

The application is supported by a Bat Survey Report and Proposed Biodiversity Preliminary Ecological Report and Proposed Biodiversity Enhancement Plan. Whilst no bats have been found in the buildings at the site, bats were noted to be foraging in the area.

Planning Site History

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

D5/242 - Erection of 2 no lock up garages - Granted - 13.08.1974

D5/734 - Extension to workshop and office accommodation - Granted - 24.02.1975

D5/10901 - 'Condor' forecourt canopy - Granted - 03.10.1988

S/18531 - CONSTRUCTION OF DORMER DWELLING - Full Granted - 16/4/2008

S/39124 - CHANGE OF USE OF PART OF BUS DEPOT (SUI-GENERIS) TO B2 (GENERAL INDUSTRIAL) - Full Granted - 28/11/2019

Planning Policy

In the context of the Authority's current Development Plan the site is located within the Development Limits of Tumble though is not allocated for any specific land use in the adopted Carmarthenshire Local Development Plan (LDP) 2014. The site is situated within the 2 km periphery of the Caeau Mynydd Mawr Special Area of Conservation covered by specific Supplementary Planning Guidance. Reference is drawn to the following policies of the Plan:-

[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

SP9 Transportation

SP14 Protection and Enhancement of the Natural Environment

SP17 Infrastructure

GP1 Sustainability and High Quality Design

GP2 Development Limits

GP3 Planning Obligations

GP4 Infrastructure and New Development

H2 Housing within Development Limits

AH1 Affordable Housing

TR2 Location of Development- Transport Considerations

TR3 Highways in Developments- Design Considerations

EQ4 Biodiversity

EQ5 Corridors, Networks and Features of Distinctiveness

EQ7 Development within the Caeau Mynydd Mawr SPG Area

EP1 Water Quality and Resources

EP2 Pollution

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 – Initially advised that there were no objections in principle to the development, but a revised layout was requested. This has been provided and further comments are awaited.

Head of Public Protection – No comments received to date.

Environmental Health Noise – No comments received to date.

Environmental Contaminated Land – No comments received to date.

Sustainable Drainage Approval Body (SAB) – SAB approval is required for the proposal.

Llannon Community Council – No observations received to date.

Local Member(s) – Councillor D Jones and Councillor L M Davies have made no observations to date.

Dwr Cymru/Welsh Water – no objection. to the application.

Planning Ecology – Initially requested the submission of a Bat Survey and a Biodiversity Enhancement Scheme. These have been submitted and further comments are awaited.

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 posted in the vicinity of the site.

Three representations were received with the comments are summarised as follows:

- The existing cul-de-sac is narrow and residential. There is no space for lorries and work vans to turn around and will be dangerous for children playing on the street.
- The development will cause overlooking and a loss of privacy to the existing dwellings on Clos Gwyn.
- The development will cause a loss of trees.
- The development will cause noise and disturbance for key workers who live on the site and work shifts.
- There are concerns over the foundations and ground pollution due to former companies disposing of waste materials and vehicles on the site.

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

Appraisal

Principle of development

The development of three dwellings on this land, within development limits would generally be considered to be acceptable, subject to the proposal's compliance with the other policies

of the LDP. Clos Gwyn is a residential cul-de-sac and the three dwellings would add to that. Furthermore, the site is located within an established residential area in close proximity to existing services and community facilities. As such, the principle of residential development in this location is accepted.

Impact upon character, appearance and residential amenity of the area

The site presently comprises a generally vacant hardstanding that was once part of the Derlwyn Bus Depot. The site is currently fenced off from the road and it is noted that behind the fence appears to be brambles and hedgerow planting, before the land drops to the level of the yard, which is a gravel hardstanding, some 1.6 metres lower. The proposal includes for the provision of three new detached, two storey dwellings of a similar design to those already constructed on the cul-de-sac, in an established residential area. It is considered that the provision of three further dwellings would not unduly harm or alter the character or appearance of the area and that the proposal complies with the requirements of policy GP1 in that it conforms with the character and appearance of the site and surrounding area in terms of the appearance, scale and elevation detailing. The site layout also takes account of the topography of the site and seeks to work with the change in levels.

One point of objection states that the development will cause overlooking and loss of privacy to the existing dwellings on Clos Gwyn. Specifically, this would relate mostly to No's 1-3 Clos Gwyn which are directly opposite the proposed dwellings, with No. 2 perhaps being most affected being directly opposite Plot 2 and with a separation distance of less than 16 metres. It is accepted that the existing dwellings will have some affect to their existing levels of amenity, the issue is, whether the harm is damaging enough to warrant refusal of the application?

The separation distance between the dwellings of less than 16 metres is less than ideal, however, distance is not unusual in village settings and is similar to the distance found between the properties found on opposites sides of the High Street in the village. In addition, the dwellings are slightly offset and the existing dwellings numbered 1 and 2 Clos Gwyn are bungalows with roof in the roof space meaning the opportunities for direct overlooking of windows is reduced. As such, based on the village location of the proposal, the separation distance based on the proposed context is considered to be acceptable in this instance and would not result in unacceptable detriment to levels of privacy and overlooking.

The application site is located immediately adjacent to an existing industrial site, which can be considered to be an undesirable neighbour, as advised in PPW (Edition 11). With regard to this issue, the applicant is the owner of both the residential part of the site and the industrial site and there is also an application in for the industrial land to improve the buildings and site. The applicant has also submitted details of a reflective acoustic fence, rear windows of the dwellings to be fitted with noise reducing glass and the installation of an intelligent mechanical extract ventilation system, so that the external walls of the house will not need to be penetrated and thus reduce the noise impact within the dwellings. These mitigations are considered to be acceptable in this instance.

Highway Impacts

This issue relates to most of the submitted points of objection received, specifically that the existing cul-de-sac is narrow and doesn't provide enough space for any new vehicles, particularly work vehicles. As a result, the development will cause harm to highway safety.

In considering this, the Head of Transport has considered the proposal and has offered no objection in principle. It is considered that the Clos Gwyn site road has been built to adoptable standards and as such, could accommodate the proposed development. The Head of Transport has advised the Agent that amendments to the submitted plans were required to improve the access visibility and the gradient from the plots, which have now been supplied and appear to provide exactly what the Head of Transport has requested. The final comments and recommended conditions of the Head of Transport are now awaited. However, it is clear that the objections raised by the public is not supported by the Head of Transport. From the site visit by the Case Officer, it was clear that the issues raised were exacerbated by the existing residents parking their cars on the road, instead of their off-road allocated parking spaces.

Furthermore, the issue of disruption caused by vehicles used for the construction of the site is not generally a material planning consideration as it is expected that development will occur, particularly on sites within development limits and that the construction phase will be short lived. The assessment of the development is based on the 'as constructed' development and how this may impact the area.

In this instance, based on the assessment of the Head of Transport, it is considered that the proposal complies with policies TR2 and TR3 of the LDP.

Biodiversity Impacts

The Authority's Planning Ecologist requested that a Bast Survey and detailed Biodiversity Enhancement Scheme be submitted to support the application following an initial assessment of the proposal. These details have been submitted and further ecological comments have been sought.

With regard to the point of objection made stating that trees would be lost, this wasn't considered to be a particular issue by the Planning Ecologist, provided that adequate mitigation and enhancement could be provided in the Biodiversity Enhancement Scheme. The existing trees are low quality and not particularly worthy of retention. As such, the public point of objection cannot be sustained and no objection is expected from Planning Ecology.

The Planning Ecologist also advises that the site is situated within the Caeau Mynydd Mawr Supplementary Planning Guidance Area and as a result, there is a requirement to provide a financial contribution of £1043 per dwelling proposed, which the Applicant is happy to do.

Ground Stability & Contaminated Land

It is understood that the application site forms part of a former land use that included vehicle storage as part of a bus depot. Furthermore, a point of public objection raises concerns that the land may have ground pollution due to the previous occupants disposing of waste and old vehicles at this site, which may have seeped into the ground.

The Authority's Public Protection Department have been consulted, though no comments have been received to date. It is anticipated that a condition or a suite of conditions will be required on any planning permission that Members may be minded to issue, which would adequately control this concern, based on the risk factors involved.

Similarly, with regard to the importation of materials to increase the ground level, this is a fairly standard practice and must be done with due regard to the relevant legislation. Any

buildings to be constructed in line with building regulations standards and development of this site must be completed in line with other legislation as well as planning. The site isn't located in an area identified by the Coal Authority as a High Risk Area.

Landscape and Visual Impact

The site currently forms part of a former industrial yard, set at a lower level and screened by a fence and some low level trees to the existing dwellings on Clos Gwyn. The proposed development proposes three new detached residential dwellings, with associated hard and soft landscaping that is considered typical of new residential units. It is considered that the proposal offers an improvement over the existing industrial site and also provides biodiversity enhancement features that are not present on the site currently.

Planning Obligations

The Council has adopted Supplementary Planning Guidance (SPG) in relation to Planning Obligations. The SPG requires financial contributions towards a variety of essential facilities and services, in this instance contributions are sought as follows:

- Financial Contribution towards Affordable Housing (10% Area)
- Financial contribution towards the maintenance and future management of habitat used by the Caeau Mynydd Mawr SAC marsh fritillary butterfly metapopulation.

The Agent has advised that instead of entering into a legal agreement, the contributions would be paid up front, prior to the release of any permission, should it be granted.

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, together with the representations received to date, it is concluded on balance that, the proposal represents an acceptable form of development that will respect the site and the general character and appearance of the surrounding area. The site is situated within the development limits of Tumble, in a broadly residential area, close to the centre of the village. The proposed development for three new detached dwellings is considered to comply with the policy objectives of the Authority's adopted Local Development Plan and National Planning Policy.

The general scale, design and layout of the scheme seeks to respect the character and appearance of the surrounding area whilst working within the site's constraints. The development will also secure a contribution towards affordable housing provision and the maintenance of the Caeau Mynydd Mawr Special Area of Conservation.

Following the submission of amended plans, no objections have been received from statutory consultees. Highways have advised there are no objections in principle, with amended plans being submitted to satisfy the request made and with final formal comments to be received shortly. DCWW are satisfied with the drainage details, in line with new separate drainage requirements approval is required from the Authority's SAB team. The Coal Authority and the Authority's Public Health team have no objection to the development and advise subject to further investigations being undertaken in relation to coal mining legacy and contamination matters, it is considered that a safe and suitable development can be achieved. Planning Ecology also have no objection, subject to conditions requiring additional information in relation to protection and enhancement of biodiversity at the site.

Based on the detail provided in the submitted application the recommendation of officers is that planning permission should be granted for the proposed development, subject to the recommended conditions and community contributions being secured as outlined above.

The recommendation is therefore to grant conditional planning permission.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

The development shall begin no later than five years from the date of this decision.

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:-

- Proposed Floor and Elevations Plan Plot 1 [01]
- Existing and Proposed Site Block Plan [03 A]
- Proposed Biodiversity Enhancement Plan [04]
- Existing and Proposed Site Sections [05]
- Bat Survey Report

Received 11 January 2023

- Location Plan [LP01]

Received 25 November 2022

Reason: For the avoidance of doubt as to the extent of this permission in accordance with Policies SP1, SP2, SP14, GP1, H2, TR3, EP4, EP5 of the Carmarthenshire Local Development Plan 2014.

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

The Applicant has agreed to make the contributions towards Affordable Housing (10% Submarket Area) of £14,108.90 and £3,129 towards the establishment of a management strategy to ameliorate for the loss of and secure the ongoing and future management of habitat used by the Caeau Mynydd Mawr SAC marsh fritillary butterfly metapopulation.

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).

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	PL/04946
-----------------------	-----------------

Application Type	Full planning permission
Proposal	Proposed reinstatement of abandoned dwelling to include conversion of adjacent outbuilding into part of the dwelling and all associated works to include a modest side extension to link the two buildings
Location	Blaenaufforest, Ffarmers, Llanwrda, SA19 8QH

Applicant(s)	Paul Davies
Agent	Castle Architectural Designs Ltd - Matt Edwards
Officer	Kevin Phillips
Ward	Cilycwm
Date of validation	26/10/2022

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by the Local Member, Cllr Arwel Davies.

Site

The application site is the ruined remains of a former traditional stone dwelling and adjacent outbuilding at a remote rural location, approximately 300 metres southeast of the existing Blaenaufforest farm and 1.7 kilometres west of the village of Ffaldybrenin, Llanwrda as the crow flies. The site has a 675 metre rough track leading from the C2191 road to the west of the site, the track is also the route of the unclassified U4105 road, which runs in front of the dwelling to the South.

Proposal

The proposed development seeks reinstatement of the abandoned remains of a former dwelling into a new four bedroom dwelling to include a living room, home office/bedroom and an en suite bathroom at ground floor and Master bedroom, walk-in wardrobe and en suite bathroom a first floor, with the adjacent outbuilding proposed as part of the dwelling with a kitchen, dining room and family area, and a two storey side extension to link the two

buildings, which includes two bedrooms each with an en suite bathroom at first floor and a large hallway, utility room, 2 toilets, plant room and storage cupboard at ground floor. The dwelling will be finished in stone and cement render with a natural or synthetic slate finish roof.

The application is supported by a bat report that concludes that there are no bats at the ruined building and no bat licence is required, and a Structural Report that relays the works that are required to bring the existing ruined building to a condition that can be reinstated, which shall be discussed further in this report.

Planning Site History

PL/04289 - Proposed reinstatement of abandoned dwelling to include conversion of adjacent outbuilding into part of the dwelling and all associated works to include a modest side extension to link the two buildings. Refused 9 September 2022

Planning Policy

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

Policy GP1 Sustainability and High Quality Design

Policy H8 Renovation of Derelict or Abandoned Dwellings

Policy H5 Adaptation and Re-use of Rural Buildings for Residential Use

Policy EQ4 Biodiversity

Policy EP1 Water Quality and Resources

Policy TR2 Location of Development – Transport Considerations

Policy TR3 Highways in Development – Design Considerations

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

Llanycrwys Community Council - No observations received to date.

Local Member - Councillor A Davies has requested that the application be called in to be considered by the Planning Committee. The Local Member conveys that he fully supports the application for the following reasons.

1. Proposed development complies with Policy H8 regarding the reinstatement of abandoned dwellings.
2. The structural survey makes clear that a significant part of the structure is physically sound and structurally intact only requiring limited amount of structural remedial works again in line with policy.
3. The wider site is currently underutilized, and the development will secure this old farmstead.

4. Not allowing the development will likely result in the loss of the farmhouse and outbuildings. Policies would allow for the conversion of the building but not the main dwelling. Therefore, this should be challenged.

Sustainable Drainage Approval Body- The Sustainable Drainage Approval Body (SAB) has identified that this project application requires a full SuDS Application because the proposed development has a construction area greater than 100m². Therefore, the development, as required under Schedule 3 of the Flood and Water Management Act 2010, must implement SuDS infrastructure in accordance with Statutory SuDS Standards. As such, a full SuDS application for this development must be submitted for assessment and approved by the Sustainable Drainage Approval Body (SAB) at Carmarthenshire County Council.

Natural Resources Wales – No objection to the proposed development as submitted and provide the following advice. The application site is within the catchment of the River Tywi Special Area of Conservation (SAC). As you are aware, on the 21 January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In line with their Planning Advice (July 2022), under the Habitats Regulations, Planning Authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments. However, the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Tywi SAC

The bat report submitted in support of the application has identified that bats were not using the application site. Therefore, no comments are made on the application as submitted.

Head of Transport - No observations on the proposal.

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

Summary of Public Representations

The application was the subject of notification by way of site notice and no representations were received.

Appraisal

Principle of development

The proposal is for the reinstatement of an abandoned dwelling, which is in a very poor state of repair, into a 4 bedroomed dwelling. It is considered the remains of the former dwelling can be described as a ruin in that it has had no roof for many years, trees have been growing inside what remains of the former dwelling and walls have fallen away at the front first floor, rear western side and rear elevation.

Policy H8 of the LDP allows for the renovation of derelict or abandoned dwellings where:

- It can be demonstrated that a significant part of the original structure is physically sound and substantially intact requiring only a limited amount of structural remedial works;*
- The existing structure displays sufficient original architectural detail (walls, roofs, apertures etc) to enable an accurate and faithful renovation that reflects its former prime state and condition;*

- c) *It is sympathetic to the original dwellings architectural qualities and makes a positive contribution to the landscape;*
- d) *There are no adverse effects on the setting or integrity of the historic environment.*

In exceptional instances where it can be demonstrated that the original dwelling played a recognised and significant role in the history, culture, and development of Carmarthenshire, the use of photographic or documentary evidence may be accepted as a means to illustrate the original details of the dwelling

A previous application was refused for this proposal on the following grounds;

“The proposal, if approved would be contrary to Policy H8 (Renovation of Derelict or Abandoned Dwellings) of the Carmarthenshire Local Development Plan in that the structure the subject of the application is not supported by a structural report from a qualified structural surveyor that concludes that the original structure is physically sound and substantially intact and requires only a limited amount of structural remedial works to enable its renovation into a dwelling. The structure does not display sufficient original architectural detail (walls, roofs, apertures etc) to enable an accurate and faithful renovation to a dwelling that reflects its former prime state and condition. It is considered that the renovation of the structure would require more than a limited amount of structural remedial works to enable its renovation into a dwelling, which would be tantamount to the construction of a new dwelling in the countryside contrary to Development Plan policy.”

This application has been supported by a structural report and the agent for the applicant conveys in the submitted Planning Statement to the application that the existing dwelling and adjacent outbuilding have been on site for over 100 years. The structural report conveys that the remaining walls are in ‘reasonable order and can be remedied with localised repairs and re-pointing’, and it is evident that the main elements of the buildings such as end walls are physically sound and substantially intact in line with criteria a. of policy H8.”

The aforementioned is not accepted and it is considered that what remains of the former dwelling is considered to be a ruin, is not considered to be structurally sound and capable of being utilised to form a dwelling. The original structural report did not quantify clearly at all what elements of the walls are to remain to allow for the faithful resurrection of the abandoned and ruinous structure, to adhere to criterion a of policy H8 of the LDP. The agent/structural surveyor had been requested to provide a plan to clearly identify how much of the existing walls are to be retained to allow the proposed development to advance to completion. A secondary report has been provided which identifies therein how much of what remains of the former dwelling, is to be removed and retained; this detail is included within the "Powerpoint" presentation to the Planning committee. However, it is considered that in terms of the relevant H8 policy, there is already sufficient loss of the original dwelling following the demise of the roof, to determine that the proposal does not adhere to the said policy and the removal of further walls, chimneys etc retains significantly less of the original dwelling. The proposal is not considered to be the renovation of a former dwelling ,but is considered to be tantamount to the re-construction of a new dwelling in the countryside, contrary to LDP and National rural restraint policies.

From an assessment of historic aerial photography, it is evident that the former dwelling has been in a ruinous condition without any roof for more than 22 years and during this time it is reasonable to determine that the structural condition of the building has significantly deteriorated to its present poor condition. The submitted Structural Reports clearly show that there will be limited remains of the original dwelling and what will remain will be

structurally unsound and prone certain collapse. It is considered that the proposed development would require further significant demolition of much of the walls to ensure that there is a structurally sound base to commence from, leaving poor remains of the original dwelling to move forward with the construction of the proposed dwelling.

The ruin that remains does not have a significant part of the original structure to a structurally sound condition and is substantially intact, there will be more than a limited amount of structural remedial work required to be undertaken.

The existing ruin does not have significant elements of the original walls in existence, the roof does not exist and has not existed for a significant number of years and window openings are also non-existent as a result, which does not enable an accurate and faithful renovation of the building. The application has not been accompanied by any photographic or documentary evidence as a means to illustrate the original details of the dwelling.

The structure that remains is considered to be a ruin and works required as per the proposed development will involve significant rebuilding that clearly conflicts with policy H8 of the LDP.

Biodiversity Impacts

The proposal confirms that no bats are utilising the building and therefore there are no concerns from a protected species perspective. The application includes biodiversity enhancement measures which is welcomed however, such measures are not considered to overcome the fundamental reasons mentioned above. The site is within the River Tywi Phosphate Sensitive Catchment Area where development must demonstrate phosphate betterment or neutrality. The proposal has been supported by details of the proposed private treatment plant along with percolation test results which collectively confirms that the proposed drainage complies with current NRW guidelines to the extent that it can be concluded that the development would not have a significant impact on the Afon Tywi SAC and thus would comply with Policy Sp14 of the LDP along with the Conservation of Habitats and Species Regulations 2017 (as amended).

Planning Obligations

None required.

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 including supporting reports it is concluded on balance that the proposal fails to accord with the requirements of Policy H8 of the LDP and is therefore recommended for refusal on the below grounds.

RECOMMENDATION - Refusal

Conditions & Reasons

Reason 1

The proposal, if approved would be contrary to Policy H8 (Renovation of Derelict or Abandoned Dwellings) of the Carmarthenshire Local Development Plan in that the structure the subject of the application is not physically sound and substantially intact and requires more than a limited amount of structural remedial works to enable its renovation into a dwelling. The structure does not display sufficient original architectural detail (walls, roofs, apertures etc) to enable an accurate and faithful renovation to a dwelling that reflects its former prime state and condition. It is considered that the renovation of the structure would require more than a limited amount of structural remedial works to enable its renovation into a dwelling, which would be tantamount to the construction of a new dwelling in the countryside contrary to Development Plan policy.

Mae'r dudalen hon yn wag yn fwriadol

DYDD IAU, 2 CHWEFROR 2023

PRESENNOL Y Cynghorydd W.T. Evans (Cadeirydd) (Yn y Siambr)

Cynghorwyr (Yn y Siambr):

S.M. Allen	J.M. Charles	P. Cooper	J.K. Howell
A.C. Jones	M.J.A. Lewis	E. Skinner	G.B. Thomas
D.E. Williams			

Cynghorwyr (Yn rhithwir):

T. Davies	M. Donoghue	N. Evans	J.D. James
J.P. Jenkins	D. Owen	R. Sparks	M. Thomas

Hefyd yn bresennol (Yn y Siambr):

Y Cynghorydd B. Davies, a fu'n annerch y Pwyllgor ynghylch cais cynllunio rhif PL/05060

Hefyd yn bresennol (Yn y Siambr):

R. Edgecombe, Rheolwr y Gwasanaethau Cyfreithiol
J. Thomas, Uwch Swyddog Rheoli Datblygu (Aman Gwendraeth)
S. Rees, Cyfieithydd Ar Y Pryd
K. Thomas, Swyddog Gwasanaethau Democrataidd

Hefyd yn bresennol (Yn rhithwir):

R. Griffiths, Pennaeth Lle a Chynaliadwyedd
I.R. Llewelyn, Rheolwr Blaen-gynllunio
H. Rice, Uwch Swyddog Rheoli Datblygu
Z.M. Baxter, Swyddog Rheoli Datblygu [Aman Gwendraeth]
Z.A. Evans, Uwch-dechnegydd [Cyswllt Cynllunio]
S. Hendy, Swyddog Cefnogi Aelodau
E. Bryer, Swyddog Gwasanaethau Democrataidd

Siambr, Neuadd Y Sir, Caerfyrddin, SA31 1JP ac o bell- 10.00 yb - 3.50 yp

(NODER:

- Am 12.55pm tynnwyd sylw'r Pwyllgor at Reol 9 o Weithdrefn y Cyngor – Hyd y Cyfarfod – ac, oherwydd bod y cyfarfod eisoes wedi bod yn mynd rhagddo ers tair awr, penderfynwyd gohirio ystyried y rheolau sefydlog, yn unol â Rheol 23.1 o Weithdrefn y Cyngor, er mwyn galluogi'r Pwyllgor i gwblhau'r gwaith a oedd yn weddill ar yr agenda.
- Am 1.20pm gadawodd y Cadeirydd y cyfarfod a bu i'r Is-gadeirydd gadeirio
- Am 1.50pm cafodd y Pwyllgor egwyl ginio ac ailymgynullodd am 2.40pm)

1. YMDDIHEURIADAU AM ABSENOLDEB

Cafwyd ymddiheuriad am absenoldeb gan y Cynghorydd D. Phillips.

2. DATGAN BUDDIANNAU PERSONOL

Y Cynghorydd / Swyddog	Rhif y Cofnod	Y Math o Fuddiant
Y Cyng. S.M. Allen	3: PL/04018 – Gwaith Cynllunio Ôl-weithredol yn: Allen & Partners Veterinary Services – cwblhawyd yn 2016 – gan gynnwys gwelliannau i'r Cynllun Safle arfaethedig ar gyfer mynediad o'r briffordd ac iddi ar gyfer gwell cynllun safle a darpariaethau parcio. Mae'r gwaith hefyd yn cynnwys codi 2 Loches Canopi i ddarparu mynediad/lle aros dan do u tu allan i Allen and Partners Veterinary Surgery, Maes y Felin, Hendy-gwyn ar Daf, SA34 0QN	Mae ganddo gysylltiad personol agos ag un o'r ymgeiswyr
Y Cyng. M. Thomas	3: PL/04643 – Adeiladu wal gynnal gaergawell, Clayton House, Heol Gwscwm, Porth Tywyn, SA16 0BT	Wedi siarad â nifer o'r preswylwyr, ymweld â'r safle a siarad â'r ymgeiswyr ac ysgrifennu ar eu rhan

3. PENDERFYNU AR GEISIADAU CYNLLUNIO

3.1 **PENDERFYNWYD** caniatáu'r ceisiadau cynllunio canlynol yn amodol ar yr amodau yn Adroddiad/Atodiad y Pennaeth Lle a Chynaliadwyedd a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod:-

W/39937	Datblygiad preswyl arfaethedig ar dir ger Maes y Berllan, Llangyndeyrn, Cydweli, SA17 5BL
PL/04018	Gwaith Cynllunio Ôl-weithredol yn: Allen & Partners Veterinary Services - a gwblhawyd yn 2016 - gan gynnwys gwelliannau i'r Cynllun Safle arfaethedig ar gyfer mynediad o'r briffordd ac iddi ar gyfer gwell cynllun safle a darpariaethau parcio. Mae'r gwaith hefyd yn cynnwys codi 2 Loches Canopi i ddarparu mynediad/lle aros dan do y tu allan i Allen And Partners Veterinary Surgery, Maes y Felin, Hendy-gwyn ar Daf, SA34 0QN (Noder: Roedd y Cynghorydd S.M. Allen wedi datgan buddiant yn gynharach yn y cais hwn; ailddatganodd y buddiant hwnnw a gadawodd y cyfarfod wrth i'r mater gael ei ystyried gan y Pwyllgor)
PL/04643	Adeiladu wal gynnal gaergawell, Clayton House, Heol

	<p>Gwscwm, Porth Tywyn, SA16 0BT</p> <p>(Noder: Roedd y Cynghorydd M. Thomas wedi datgan buddiant yn yr eitem hon yn gynharach; ailddatganodd y buddiant hwnnw a gadawodd y cyfarfod wrth i'w mater gael ei ystyried gan y Pwyllgor)</p>
PL/04823	<p>Amrywio amod 1 o Gais Cynllunio S/38106 (estyniad o ran amser], ar safle 5 a 6, tir ger hen Safle Grillo, Porth Tywyn, SA16 0LT</p>
PL/04824	<p>Amrywio Amod 1 o Gais Cynllunio S/38251 (er mwyn caniatáu 5 mlynedd ychwanegol ar gyfer cyflwyno materion a gadwyd yn ôl), hen Waith Grillo, Heol Harbwr, Porth Tywyn, SA16 0LY</p>
PL/04825	<p>Amrywio Amod 1 o gais cynllunio S/38105 (estyniad o ran amser) ar Safle 4, Harbwr Porth Tywyn (Dwyrain), Porth Tywyn, SA16 0LT</p>

3.2 PENDERFYNWYD gohirio rhoi ystyriaeth i'r cais canlynol er mwyn gallu ymweld â'r safle

PL/04430	<p>Datblygiad preswyl ar dir oddi ar Heol y Parc, Hendy, Abertawe, SA4 0XZ</p> <p>(Noder: Am 1.20 p.m. wrth ystyried yr eitem hon gadawodd y Cadeirydd y cyfarfod. Bu i'r Is-gadeirydd yn cadeirio)</p> <p>Daeth sylw i law a wrthwynebai'r cais, ac a ailbwysleisiai'r pwyntiau y manylwyd arnynt yn adroddiad y Pennaeth Lle a Chynaliadwyedd a oedd yn cynnwys:</p> <ul style="list-style-type: none"> • Gwrthwynebiadau gan 75 o breswylwyr lleol a'r Cyngor Cymuned • Diogelwch priffyrdd • Diffyg parcio oddi ar y stryd a pharcio i ymwelwyr • Roedd y CDLI wedi nodi'r safle ar gyfer 5 tŷ. Roedd y cais presennol ar gyfer 7 ac ni nodwyd y safle ar gyfer datblygiad o fewn y CDLI sy'n dod i'r amlwg • Colli cynefinoedd bywyd gwyllt a choridor bywyd gwyllt • Materion perchnogaeth tir • Cyflwyno cynlluniau diwygiedig ar ôl diwedd y cyfnod ymgynghori • Presenoldeb clymog Japan • Polisi Cynllunio 6 yn cefnogi gwrthod y safle <p>Ymatebodd asiant yr ymgeisydd a'r Uwch-swyddog Rheoli Datblygu i'r materion a godwyd</p> <p>Yn dilyn y sylwadau uchod, cafodd ei gynnig a'i gario bod ystyriaeth o'r cais yn cael ei ohirio er mwyn gallu ymweld â'r safle i weld y safle mewn perthynas â phryderon y gwrthwynebwyr</p>
----------	---

3.3 PENDERFYNWYD gohirio ystyried y cais cynllunio canlynol tra'n aros am gyflwyno a gwerthuso gwybodaeth ychwanegol

PL/03849	Amrywio Amod 3 o W/35339 (codi giatiaiu), Cartref Cynnes, Peniel, Caerfyrddin, SA32 7HT
-----------------	--

3.4 PENDERFYNWYD gwrthod y ceisiadau cynllunio canlynol am y rhesymau y manylwyd arnynt yn Adroddiad y Pennaeth Lle a Chynaliadwyedd::

PL/04748	Dymchwel bloc stablau presennol (wedi'i adeiladu'n rhannol) ac adeiladu preswylfa angen lleol yn ei le (Ail-gyflwyno cais cynllunio PL/02285), Tir cyferbyn â Tŷ Liliwen, Nant-y-caws, Caerfyrddin
PL/05060	Preswylfa newydd gyda garej/tŷ allan, tir sy'n rhan o Clyttie Cochion, Llanpumsaint, Caerfyrddin, SA33 6JT Cafwyd sylw gan yr aelod lleol gan gefnogi'r cais ar sail bod yr ymgeiswyr yn lleol, bod y teulu yn berchen ar y safle dan sylw, bod y ddau ymgeisydd yn gweithio'n lleol, bod gan y cais gefnogaeth y cyngor cymuned lleol, dyheadau'r ymgeisydd ar gyfer ffermio ar y tir, cadw pobl lleol yn y gymuned, amddiffyn y Gymraeg a bywyd gwledig.

4. PERFFORMIAD Y GWASANAETH CYNLLUNIO - CHWARTER 3

Bu'r Pwyllgor yn ystyried Adroddiad Perfformiad y Gwasanaeth Cynllunio ar gyfer Chwarter 3 ar gyfer y cyfnod rhwng mis Hydref a mis Rhagfyr 2022 ar gyfer y Gwasanaeth Cynllunio ac , yn nodedig, yr Is-adran Rheoli Datblygu a Gorfodi. Roedd yr adroddiad yn cynnwys dangosyddion monitro perfformiad craidd ynghyd â data cymharol ar gyfer chwarteri blaenorol yn 2021/22.

PENDERFYNWYD YN UNFRYDOL dderbyn yr adroddiad.

5. LLOFNODI YN GOFNOD CYWIR GOFNODION Y CYFARFOD A GYNHALIWDYD AR 8 RHAGFYR 2022

PENDERFYNWYD llofnodi cofnodion cyfarfod y Pwyllgor a gynhaliwyd ar 8 Rhagfyr 2022 yn gofnod cywir.

CHAIR

DATE

DYDD IAU, 16 CHWEFROR 2023

PRESENNOL Cyngorydd W.T. Evans (Cadeirydd)(Yn y Siambr)

Cynghorwyr (Yn y Siambr):

S.M. Allen	N. Evans	J.K. Howell	A.C. Jones
M.J.A. Lewis	B.D.J. Phillips	E. Skinner	R. Sparks
D.E. Williams			

Cynghorwyr (Yn rhithwir):

J.M. Charles	T. Davies	M. Donoghue	J.D. James
J.P. Jenkins	M. Thomas		

Hefyd yn bresennol (Yn y Siambr):

I.R. Llewelyn, Rheolwr Blaen-gynllunio;
S. Murphy, Uwch-gyfreithiwr;
J. Thomas, Uwch Swyddog Rheoli Datblygu (Aman Gwendraeth);
S. Rees, Cyfieithydd Ar Y Pryd;
M.S. Davies, Swyddog Gwasanaethau Democrataidd;

Hefyd yn bresennol (Yn rhithwyr):

Z.A. Evans, Uwch-dechnegydd [Cyswllt Cynllunio];
E. Bryer, Swyddog Gwasanaethau Democrataidd.

Siambr, Neuadd Y Sir, Caerfyrddin ac o bell: 2.15yp - 3.20 yp

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr P. Cooper, D. Owen ac G.B. Thomas.

2. DATGAN BUDDIANNAU PERSONOL

Ni chafwyd datganiadau o fuddiant personol.

3. PENDERFYNU AR GEISIADAU CYNLLUNIO

PENDERFYNWYD caniatáu'r ceisiadau cynllunio canlynol yn amodol ar yr amodau y manylwyd arnynt yn Adroddiad/Atodiad y Pennaeth Lle a Chynaliadwyedd a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod:-

PL/04222	Bwriedir cael cae artiffisial 3G ar gyfer chwarae rygbi a phêl-droed a bydd yn cymryd lle'r cae rygbi gwair presennol. Bydd y cynigion yn cynnwys llifoleuadau newydd. Bydd wyneb synthetig mân-dyllog yn cael ei osod ar y trac rhedeg graean presennol sydd o amgylch terfyn y safle yng Nghanolfan Hamdden Dyffryn Aman, Stryd Marged, Rhydaman, SA18 2NW;
PL/04596	Caniatâd cynllunio llawn ar gyfer gweithdy gwasanaethu lorïau, canolfan dosbarthu a storio teiars a swyddfeydd ategol, Llain 12, Safle Cyflogaeth Strategol Cross Hands,

	Heol Parc Mawr, Cross Hands, Llanelli, SA14 6RE;
PL/04746	Cais am gymeradwyo materion a gadwyd yn ôl (mynediad, ymddangosiad, tirweddu, cynllun a graddfa) mewn perthynas â 36 o gartrefi a gwaith cysylltiedig yn unol â Chaniatâd Cynllunio W/38125 (a ganiatawyd fel rhan o apêl Cyf: APP/M6825/A/20/3249883) a rhyddhau amodau cysylltiedig 2, 4, 5, 6 ac 11 y caniatâd cynllunio amlinellol, ar dir i'r de o Dôl y Dderwen, Llan-gain, Sir Gaerfyrddin, SA2 4BE.

CHAIR

DATE