

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR  
AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 30 IONAWR 2020  
ON 30 JANUARY 2020**

**I'W BENDERFYNU/  
FOR DECISION**

***Ardal  
Dwyrain/  
Area East***



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

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

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>30 JANUARY 2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>
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<b>Application No</b>	<b>E/39097</b>
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<b>Application Type</b>	Variation of Planning Condition(s)
<b>Proposal &amp; Location</b>	VARIATION OF CONDITION 2 OF PLANNING PERMISSION E/18750 TO ALLOW FOR A REVISED ACCESS FOR PLOT 3 AT LAND FORMERLY PART OF HEDDFRYN, LLANSADWRN, LLANWRDA

<b>Applicant(s)</b>	BROWN PARTNERSHIP - NICK BROWN, THREE HORSESHOES, GWYNFE, LLANGADOG, SA199PT
<b>Agent</b>	
<b>Case Officer</b>	Kevin Phillips
<b>Ward</b>	Cilycwm
<b>Date of validation</b>	09/07/2019

## Reason for Committee

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

## Site

The application site is a rectangular area of former agricultural land to the west of Ebenezer House (formerly Ebenezer Chapel) which has gained planning permission for 3 dwellings with access onto the C road to the east of Heddfryn, Llansadwrn, which is presently under construction. To the south and east is the listed St Sadwrn's Church and graveyard with a public footpath running along the west of the church which links the C2170 and the C2161 road. To the south west of the application site there is a playground and residential properties fronting the C2170 highway.

## Proposal

The application is for the variation of condition 2 of planning permission E/18750 for 3 dwellings to allow for a revised access for plot 3 at the land formerly part of Heddfryn, Llansadwrn. The planning permission for the 3 dwellings allows for access from/to the site from land adjacent to Heddfryn, Llansadwrn and this application is to block the entrance from this approved access between plots 2 and 3 and to permit access to plot 3 from the existing track to the eastern side, which runs to Ebenezer House and adjoining agricultural outbuilding and junctions with the main road adjacent to London House.

## Planning Site History

E/38759	NON MATERIAL AMENDAMENT ON E/18750 (ALTER ACCESS TO PLOT NO 3 ONLY, SO THAT IT IS ACCESSED FROM THE NORTH SIDE OF THE SITE) Withdrawn
E/38200	CONSTRUCTION OF ONE DWELLING Pending
E/18750	HOUSING DEVELOPMENT OF 3 NO HOUSES AND TO INCLUDE REPOSITIONING OF CHILDREN'S PLAY AREA Full granted -13/04/2017 s106 signed - open space / play provisions
E/16145	VARIATION OF CONDITON NO 1 FOR EXTENSION OF TIME FOR SUBMISSION OF RESERVED MATTERS ASSOCIATED WITH OUTLINE PLANNING PERMISSION E/02634. PERIOD TO BE EXTENDED TO 30.04.2008 – VARIATION OF PLANNING CONDITION GRANTED Delegated 19/06/2007
E/02634	APPLICATION FOR OUTLINE PLANNING – RESIDENTIAL DWELLINGS (TYPE UNKNOWN YET)- OUTLINE GRANTED - COMMITTEE 26/03/2004 S106 AGREEMENT SIGNED Appeal dismissed - 26/06/2001
P6/200/95	RESIDENTIAL DEVELOPMENT & PLAYGROUND Withdrawn -18/10/1995
P6/308/95	RESIDENTIAL DEVELOPMENT & PLAYGROUND Refused -10/10/1997

## Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')  
Policy GP1 Sustainability and High Quality Design  
Policy TR3 Highways in Developments - Design Considerations

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – Offers no objection subject to a planning condition that requires that the access shall be in accordance with typical layout number 5.

Any further housing development along the lane shall not be permitted. The lane shall serve no more than 4 residential units. If approved this proposal (plot 3) would become the 4<sup>th</sup> unit when considering the potential conversion of the barn to the rear of Ebenezer House.

**Public Rights of Way Officer** - Footpath 45/40 abuts the proposed development area to the south west. However, to the North East of the site, the proposed revised access way is traversed by Public Right of Way 45/40, and there appears to be no reference in the Planning Application to this fact.

It must be noted that there is a legal obligation for pedestrians to pass and repass along the Right of Way without hindrance or obstruction, and special provision may need to be put in place to ensure this. The Right of Way must not be obstructed or encroached upon at any time during building works or after completion. Any alterations to the surface of the Right of Way would require prior approval from the Authority.

The Applicant /Developer is advised to contact the Countryside Access Team if they have any queries in relation to the Public Right of Way.

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

**Local Member(s)** - Councillor T A J Davies has not commented to date.

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

## Summary of Public Representations

The application was the subject of notification by way of a site notice.

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

- The increase in traffic will result in highways safety issues for residents along the track leading to the site.
- The increase of highway use at junction of the track with the C 2161 road will result in highways safety problems.
- The approved access to/from the three dwelling approved under planning permission E/18750 is a better solution in highway safety terms.
- CCC do not have the right to authorise the use of the private access lane
- The track is not suitable for possible 4 dwellings including the outbuilding to the rear of Ebenezer Chapel
- There is no legal right to access plot 3 from the track leading to the site from the east.
- The track is not 3.5 metres wide but 2.2 metres wide and is not suitable for access to an additional dwelling
- There is no passing bay along the track to allow vehicles to pass each other
- There is no consideration for pedestrians in using the track in terms of highway safety
- Dwellings on the track will experience a loss of privacy, increased pollution and it will be detrimental to the character of the two listed buildings either side of the track.
- The proposal will impact upon the use of the public footpath which runs along the track and the eastern boundary of the application site and church boundary.

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

## **Appraisal**

The application has been submitted to obtain permission for the alteration of the access arrangement for the eastern plot 3 of the three dwellings approved under planning permission E/18750 which is presently under construction. This will then retain the approved access to serve plots 1 and 2, along with the dwelling proposed in a separate pending planning application E/38200 at a plot between plot 1 and the existing play area, Rose wood and Heddfryn.

### **Highway Impacts**

The principal issue for consideration within this application are highway related and further to the issues discussed below, the Head of Transport has considered the matters raised within the application including a report submitted by a highway consultant on behalf of the applicant and has recommended approval of the application subject to one condition.

### **Response to the issues of objection received**

#### **The increase in traffic will result in highways safety issues for residents along the track leading to the site**

The increase in traffic for 1 dwelling along this lane with two dwellings having access will not result in any significant highway safety problems.

#### **The increase of highway use at junction of the track with the C 2161 road will result in highways safety problems**

The Head of Transport has received a detailed speed survey and access appraisal report in addition to detailed discussions on the use and activity associated with the proposed development and it has been concluded that the proposed development will be acceptable and will not result in unacceptable highway safety problems.

#### **The approved access to/from the three dwellings approved under planning permission E/18750 is a better solution in highway safety terms**

Whilst the existing access approved is accepted, it remains that the applicant has submitted the proposal the subject of this application and the Head of Transport is supportive

#### **Carmarthenshire County Council do not have the right to authorise the use of the private access lane**

The planning principle of the access is supported by the Head of Transport, however this does not authorise the use of the lane; this is considered to be a private/civil matter.

#### **The track is not suitable for a possible 4 dwellings including the outbuilding to the rear of Ebenezer Chapel**

The Head of Transport is of the opinion that the use of the lane by four dwellings is the maximum number that can be supported. This is subject to the possible receipt of a further conversion of the existing outbuilding at the rear of Ebenezer House (formerly Ebenezer Chapel).



**There is no legal right to access plot 3 from the track leading to the site from the east**

This is considered to be private/civil matter and not a material planning matter.

**The track is not 3.5 metres wide but 2.2 metres wide and is not suitable for access to an additional dwelling**

The track varies in width from approximately 2.2 metres to 3.5 metres along its length and the Head of Transport has considered that proposed development based on the existing physical dimensions of the lane at the site as referred to above.

**There is no passing bay along the track to allow vehicles to pass each other**

The Head of Transport is aware of this situation and as a result of the assessment of the proposed development at a lane that has low traffic movements, the additional access to plot 3 is supported subject to a condition that the access into the site shall include a typical layout number 5 that permits passing along the lane at the front of the proposed access.

**There is no consideration for pedestrians in using the track in terms of highway safety**

The lane will not be so heavily used by traffic that it will have a significant impact upon pedestrians' ability to use it.

**Dwellings on the track will experience a loss of privacy, increased pollution and it will be detrimental to the character of the two listed buildings either side of the track**

It is considered that the use of the lane by one additional dwelling will not result in any significant loss of privacy or increase of pollution and the creation of an alternative access onto the track will not have any impact upon the character of the two listed buildings in the locality.

**The proposal will impact upon the use of the public footpath which runs along the track and the eastern boundary of the application site and church boundary**

Again, it is considered that the use of the track by one additional dwelling will not have any significant impact upon the use of the public footpath that runs along the lane to/from the application site or the public footpath that runs between the application site and the church to the east.

## **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 whilst local residents have raised concern that the additional use of the existing lane by one additional dwelling will increase the use and there will be highway safety problems as a result, it is considered that the issues addressed above determine that the proposal would not result in an unacceptable amendment to the already approved housing development, and the support of the Head of Transport to the proposed development, as such allows the proposal to be put forward with a favourable recommendation.

## RECOMMENDATION – APPROVAL

### Conditions

- 1 The works hereby granted consent shall be carried out strictly in accordance with the following approved plans and documents;
  - Block and Location Plan(BP1000.9), received 26 June 2019
  - Site Layout Plan(BP10000.8) 1:200 Scale, received 26 June 2019
  - Amended Drawing Numbers C/3756/1B, C/3756/2B, and C/3756/4B, received 5 November 2008,
  - and amended drawing number C/3756/3B, received 6 March 2009
- 2 All planting, seeding or turfing shall be carried out in the first planting season following the beneficial occupation of the third dwelling to be completed
- 3 Any trees planted in accordance with Condition No 2 above subsequently removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees of similar size and species to those originally planted to the satisfaction of the Local Planning Authority.
- 4 The new vehicular access to the application site shall be carried out strictly in accordance with the amended 1:200 scale layout plan, received on 12 March 2001 within application E/02634 and the visibility splays are provided in perpetuity in accordance with the Deed of Covenant, dated 12 September 1997, in relation to land and bungalow known as "Heddfryn", Llansadwrn.
- 5 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 6 Prior to the occupation of any of the dwellings herewith approved, the required access roads and footpaths 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.
- 7 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.

- 8 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 9 The new vehicular access for plot 3 shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 5 (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.

## **Reasons**

- 1-3 In the interest of visual amenity.
- 4-9 In the interest of Highway safety.

## **Reasons for granting planning permission**

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

- The proposed development accords with Policy GP1 of the Carmarthenshire Local Development Plan in that the proposed dwellings represents an acceptable form of development which is appropriate to the character and appearance of the surrounding area, is of an acceptable design and will not have an unacceptable impact upon the residential amenity of nearby properties. The proposal provides adequate amenity and utility areas to serve the development and is served by adequate access, parking and turning areas.
- The proposed development accords with Policy GP2 of the Carmarthenshire Local Development Plan in that the proposed dwellings are within the development limits of the settlement and the proposal adheres to other policies, national guidance and other material planning considerations
- The proposed development adheres to the requirements of policy TR3 of the Carmarthenshire Local Development Plan which ensures that proposed development relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

## **Notes**

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

<b>Application No</b>	<b>E/39543</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	RURAL ENTERPRISE DWELLING AT LAND AT BRYNGWYN UCHAF, GOLDEN GROVE, CARMARTHEN, SA32 8NB

<b>Applicant(s)</b>	C DAVIES, C/O AGENT, ,
<b>Agent</b>	JCR PLANNING LTD - JASON EVANS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Llanfihangel Aberbythych
<b>Date of validation</b>	30/09/2019

## Reason for Committee

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

## Site

The application site consists of an irregular shaped parcel of land located in a countryside location approximately 500 metres to the north west of the settlement of Temple Bar. The site covers an area of 0.2 hectares and forms part of the land holding of the neighbouring Bryngwynne Uchaf Farm which is a dairy enterprise that extends to some 160 acres. It forms part of a larger field enclosure within the holding and is located immediately to the east of the main farmstead and its associated farm buildings and yard areas.

There is an existing residential static caravan on the site which was previously granted temporary planning permission as an agricultural workers dwelling in 2013 to allow the applicant's son, who operates and undertakes the day to day farm activities on the enterprise, to live on the holding. The static caravan occupies a central location within the site on an existing hardstanding area that is accessed via an access onto the C2151 to the south west. The remainder of the site consists of grassed areas that surround the caravan and the hardstanding area. There is an existing hedgerow on the western and south western boundaries of the site, however, the site's remaining boundaries currently have no defining features.

The wider area wherein the site is located is rural in character consisting of an undulating landscape made up of agricultural fields bounded by hedgerows and scattered areas of woodland. The road network consists primarily of narrow country lanes flanked by high hedgerows.

## **Proposal**

The application seeks full planning permission for the erection of a rural enterprise dwelling on the holding that will replace the existing temporary static caravan. The proposal is to provide permanent residential accommodation for the applicant's son to allow him to continue to operate the farm business and ensure it remains sustainable in the future.

The dwelling is to be of a two storey construction and will provide four bedroom accommodation. Its front elevation is characterised by three dormer style windows at first floor level and a ground floor lean-to projection that extends partly around the side of the dwelling. Its elevations will consist primarily of a stone and render finish while the roof is to be clad in slates. The dwelling is to be sited in the western half of the site being partly on both the existing hardstanding and grassed areas. It is to be orientated in an easterly direction. Access is to be achieved via the existing entrance with parking and turning being provided immediately to the south of the dwelling. The northern and eastern boundaries of the new property are to consist of post and rail fencing while the existing hedgerows fronting the site are to be retained as part of the development.

The application has been accompanied by a rural enterprise appraisal which provides an appraisal of the proposal within the context of the policy requirements of Technical Advice Note (TAN) 6 : Planning or Sustainable Rural Communities (July 2010).

Temporary permission was granted for the static caravan on the site as an agricultural workers dwelling for a three year period in May 2013 which has now expired. Planning application E/27930 refers. At the time, the enterprise was operated as a dairy farm and had been since 2002, however, it has since adapted to changing market conditions largely in response to volatile milk prices and increased specialisation in the dairy industry. As a result, it is now operated as a specialist dairy heifer rearing enterprise. The rural enterprise appraisal provides details of the enterprise whereby it currently rears 60 dairy heifers per annum for sale as milking cows to specialist milking farms.

## **Planning Site History**

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

E/27930	CHANGE OF USE OF AN AREA OF AGRICULTURAL LAND FOR THE PURPOSES OF THE SITING OF A PARK HOME (STATIC CARAVAN) TO BE USED AS AN AGRICULTURAL WORKERS DWELLING ON A TEMPORARY BASIS FOR 3 YEARS Full planning permission -10 May 2013
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# Planning Policy

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

SP1 Sustainable Places and Spaces.  
SP14 Protection and Enhancement of the Natural Environment  
GP1 Sustainability and High Quality Design  
TR3 Highways in Developments – Design Considerations.  
EQ4 Biodiversity  
EP1 Water Quality and Resources.  
EP2 Pollution  
EP3 Sustainable Drainage.

National Planning Policy and Guidance is provided in Planning Policy Wales (PPW) Edition 10, December 2018 as well as Technical Advice Note (TAN) 6 : Planning or Sustainable Rural Communities (July 2010).

## Summary of Consultation Responses

**Llanfihangel Aberbythych Community Council** – Have raised no objection.

**Local Members** – County Councillor Cefin Cambell fully supports the application and opines that the proposal will allow the applicant's son to continue to run and improve the farm enterprise while at the same time providing him with an opportunity to remain and live in the local area with his young family. In this regard, he suggests that the proposal is in accord with the Council's Rural Regeneration Strategy which aims, amongst others, to retain young people in the County and ensuring that they have suitable housing.

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

## Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice to the front of the site. As a result, five letters of representation have been received, four of which raise concerns regarding the proposal and object to the application, while one offers support for the proposal.

While four letters of objection have been received, it should be noted that three of these are from the same household. The issues of concern are summarised below :

- The visual impact of the building will detract from the surrounding landscape
- The applicant owns other properties and there is therefore no requirement for a further dwelling.
- Loss of view.
- An application for an agricultural building was recently refused on a neighbouring land holding and, on this basis, the applicant should not be permitted to build a house on the site.
- The application does nothing to support affordable housing in the County.

## Appraisal

TAN6 provides that one of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. The TAN sets out the criteria (a-e) to establish when a new dwelling on an established rural enterprise may be justified under paragraph 4.4.1 whereby proposals should only be permitted where they meet these requirements.

Criterion a) of the TAN requires that there is a clearly established functional need for one or more workers to be readily available at most times for the proper functioning of the enterprise while criterion b) requires that this need must relate to a full rather than part-time worker. Criterion c) relates to a financial test whereby the enterprise must have been established for at least three years, profitable for at least one of them and be financially sound and have a clear prospect of remaining so. Under criterion d) applicants must demonstrate that the functional need cannot be fulfilled by another dwelling or converting an existing building on the holding and, finally, criterion e) relates to 'other normal planning requirements' in that proposals must be acceptable from, for example, a siting, design and access perspective.

Dealing with the foregoing in turn, officers are satisfied that the enterprise meets the functional test based upon the size of the holding at circa 160 acres and current stocking levels. The enterprise has a dairy heifer herd consisting of 60 calving milking heifers together with associated young stock replacement with calving taking place throughout the year. The nature and scale of the enterprise is such that it has a high functional need for stock management on a day to day basis and there is a need for a worker to be present at most times be it for calving or other animal husbandry purposes. Moreover, based upon current stocking levels, the need relates to a full time worker thereby satisfying the requirements of criterion b) of the TAN.

Turning to the financial test, the enterprise has been established for 16 years and the rural enterprise appraisal accompanying the application demonstrates that it has been profitable for the last three years. Moreover, it confirms that the business has grown over this time whereby it is financially sound and its future profits will be able to sustain the cost of the dwelling proposed. The proposal therefore satisfies the requirements of criterion c) of the TAN.

With regard to criterion d), in granting temporary permission for the siting of the static caravan for use in association with the enterprise, the Authority accepted that there were no existing dwellings or outbuildings suitable for conversion on the holding and this position has not changed. The neighbouring farm house to the west of the farmstead previously formed part of the holding but was not passed on to the applicant with the holding and is not therefore in their ownership. Whilst there are a number of existing stone buildings within the farmstead, they are currently utilised as part of the operation of the enterprise. Moreover, property searches have revealed no suitable properties being available within the vicinity of the holding that would meet the identified functional need of the enterprise. The proposal is therefore in accord with criterion d) of the TAN.

In terms of criterion e) the new dwelling will be sited immediately adjacent to the farmstead thereby being closely related to the activities of the enterprise that it will serve. Its modest scale is commensurate with and can be sustained by the enterprise while providing



suitable accommodation for the applicant's son and his young family. The undulating nature of the surrounding landscape means that the site does occupy an elevated position with views to and from the site in a southerly and easterly direction. Nonetheless, the modest scale of the dwelling combined with its siting immediately adjacent to and against the backdrop of the main farmstead and its associated buildings and structures will mean that it will not be visually dominant or detract from the character and appearance of the wider landscape. The existing hedgerows bordering the site are to be retained as part of the development and it is of note that the site does not fall within any special landscape area designated in the LDP.

Access to the new will be via the existing entrance into the site to which the Head of Highways and Transport raised no objection as part of the previous application for the static caravan. Moreover, the scheme will incorporate adequate parking and turning facilities within the curtilage of the new dwelling. The proposal therefore satisfies the objectives of criterion e) of the TAN.

Finally, turning to other matters of concern raised by the respondents, the loss of a view is not a material planning consideration while the Authority's recent decision on a proposal for an agricultural building on a nearby parcel of land in separate ownership is not relevant to the determination of the current application. The application in question was refused by officers on the basis that there is no agricultural activity subsisting on the land in question while, in contrast, the current proposal relates to an established rural enterprise.

As to suggestions that there is no requirement for a further dwelling given that the applicant owns other properties, there are no other dwellings on or within the vicinity of the holding that would fulfil the functional need of the enterprise. Concerns that the proposal does nothing to support affordable housing in the County are misjudged in that the proposal will serve to provide affordable accommodation for the applicant and his young family while at the same time serving the functional and operational needs of the enterprise. Moreover, the permission granted will be conditioned in accordance with advice contained in TAN 6 whereby it will be retained for occupiers who would be eligible for consideration for affordable housing under the Authority's LDP policies in the event that it is no longer required for the purposes of the existing enterprise on the holding or other rural enterprises in the locality.

## **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, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy as set out in TAN6.

The application is therefore put forward with a favourable recommendation.

## **RECOMMENDATION – APPROVAL**

### **Conditions and Reasons**

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information :
  - Proposed elevations, floor plans, block and location plans (1541-01 Rev A) received on 10 January 2020.
- 3 The occupancy of the dwelling shall be restricted to those:
  - a. solely or mainly working or last working on a rural enterprise in the locality where there is/was a defined functional need; or if it can be demonstrated that there are no such eligible occupiers, to those;
  - b. who would be eligible for consideration for affordable housing under the local authority's housing policies: or if it can be demonstrated that there are no persons eligible for occupation under either (a) and (b);
  - c. widows, widowers or civil partners of the above and any resident dependants.
- 4 The parking and turning area shown on the proposed elevations, floor plans, block and location plans (1541-01 Rev A) received on 10 January 2020 shall be provided in accordance with the detail shown prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 5 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.
- 6 Prior to any use of the access hereby approved, a visibility splay of 2.4 metres x 33 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway.
- 7 No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion

of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 To ensure that the dwelling is kept available for a rural enterprise worker or for occupation under the Authority's affordable housing policies.
- 4-6 In the interests of highway safety (Policies GP1 & TR3).
- 7 In the interests of the visual amenity of the surrounding area (Policy GP1).

## Notes

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

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

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

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

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

<b>Application No</b>	<b>E/39661</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED ERECTION OF A SINGLE DWELLING WITH SMALL DETACHED GARAGE AT PLOT ADJACENT TO THE GABLES (NO 10), SARON ROAD, SARON, AMMANFORD, SA18 3LG

<b>Applicant(s)</b>	MS PAULA LLEWELYN, 10 CLOS NANT Y CI, SARON, AMMANFORD, SA18 3SZ
<b>Agent</b>	CASTLE ARCH DESIGNS LTD - MR MATT EDWARDS, BANK HOUSE, 9 BRIDGE STREET, NEWCASTLE EMLYN, SA38 9DX
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Saron
<b>Date of validation</b>	18/10/2019

## Reason for Committee

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

## Site

The application site comprises a rectangular shaped parcel of land situated on land to the north east of existing property The Gables. The site is accessed from the existing access off Saron Road which presently serves The Gables property and commercial use, Jackie's Café. The site is bordered by existing properties and garden areas on each side with the exception of the access lane and existing parking area to the south east. Residential dwellings and curtilage gardens from properties at Tanyfan border the site to the north west. The site is located within Saron and within the defined development limits identified in the Local Development Plan.

The site, of approximately 0.125ha, slopes slightly in an easterly direction from the boundary with properties on Tanyfan at the northwest towards the parking area and road to the east. A strong hedgerow runs along the north east boundary with a telegraph pole in the northern corner which is proposed to be removed as part of the proposal. Otherwise the site contains no other tree, vegetation, buildings or structures.

The site is not situated within any environmental or ecological designations, and is entirely within the Coal Authority's Development Low Risk Area.

## Proposal

The application seeks full planning permission for the construction of a detached dwellinghouse with four bedrooms and a separate detached garage. The proposed dwelling is sited fairly centrally within the site fronting the access track and Saron Road with a similar building line to the adjacent property The Gables. At ground floor an entrance hall, family room, toilet and living room are located to the front of the property, with a utility room, and large open plan kitchen/dining room to the rear. At first floor, a master bedroom complete with en-suite and walk-in wardrobe are proposed alongside bedrooms 2, 3 and 4, family bathroom and storage cupboards. The master bedroom and bedroom 2 along with the landing overlook the rear garden, with dormer windows for the two bedrooms and a velux roof window above the landing. The original plans submitted also included a window on the rear elevation of the master bedroom, following review of neighbour comments and discussion with the applicant revised plans have been submitted removing this window to reduce concerns regarding loss of privacy. To the front, two dormer windows are proposed at first floor and a velux roof window for the family bathroom. No windows are proposed on the side elevations at first floor.

Access for the dwelling is proposed in the southern corner of the site utilising the existing 4.1metre private access track off Saron Road which presently serves adjacent property, The Gables. A single storey detached garage is proposed in the western corner backing onto gardens of properties at Tanyfan. A dedicated car parking and turning area is proposed to the side of the property in front of the garage. A 2 metre high timber close boarded fence is also proposed along the rear boundary between the site and properties at Tanyfan.

The application has been accompanied by cross sectional drawings taken through the site which show the proposed finished levels of the development in relation to existing properties to the north-west at Tanyfan. The ridge height of the proposed dwelling is 6m from the proposed finished floor level, and is around the same height as nos. 7 and 8 Tanyfan situated to the rear, due to the proposed level being set at a lower level.

The applicant has confirmed their intention to complete the Unilateral Undertaking and Certificate of Title indicating the applicant intends to comply with the requirements for a contribution towards affordable housing in line with Policy AH1.

## Planning Site History

None of relevance.

## Planning Policy

In the context of the Authority's current Development Plan the site is within the defined development limits 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  
GP4 Infrastructure and New Development  
H2 Housing within Development Limits  
AH1 Affordable Housing  
TR3 Highways in Developments  
EQ4 Biodiversity  
Policy EQ7 Development within the Caeau Mynydd Mawr

### [Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## **Summary of Consultation Responses**

**Head of Transportation & Highways** - No objections subject to imposition of conditions.

**Planning Ecology** – highlight the site's location within Caeau Mynydd Mawr Special Area of Conservation (SAC) will require a contribution in line with the SPG. Confirm there is no likelihood of bats being present on the site.

**Head of Public Protection** - No observations received to date.

**Llandybie Community Council** - No observations to make on the application.

**Local Member(s)** – Councillors Karen Davies and Carl J. Harries have not commented to date.

**Natural Resources Wales** – no objection, recommend discuss with Planning Ecologist regarding potential for bats.

**Dwr Cymru/Welsh Water** – No objection subject to conditions.

**Coal Authority** – Confirmed site does not fall within Development High Risk Area.

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

## **Summary of Public Representations**

The application was the subject of notification by way of neighbouring letters and site notice posted at the entrance from Saron Road.

Seven representations were received, five in a group letter from residents of Tanyfan and one separate response all objecting, and one response in support. The matters raised are summarised as follows:

- Disagree with house being built so close to boundary, would lose privacy for property and garden and loss of sunlight. Bungalow would be more appropriate.

- Given the angle of the proposed site the garden areas of properties no. 4, 5 and 6 and whole living area of properties no. 7 and 8 Tanyfan would be overlooked from first floor rooms on the rear elevation.
- Proposal does not allow adequate privacy for residents of Tanyfan.
- Properties no. 7 and 8 of Tanyfan are bungalows so the proposed dwelling would be able to see directly into homes.
- Loss of privacy in gardens of properties 4, 5 and 6, many of which have young children who play in back gardens. Gardens are an amenity which everyone has the right to enjoy, this proposal will be in breach of this.
- Reference to Article 1 protocol 1 of Human Rights Act which states that a person has the substantive right to peaceful enjoyment of all their possessions, which includes the home and other land. Additionally Article 8 states that a person has the substantive right to respect for their private and family life. Objection states the proposal is against this.
- Would like to meet with a representative of the planning department in order to allow us to illustrate our objections first hand and to see our properties.
- Support the application as it reduces the chances of multiple houses being built upon the site in years to come.
- As one of the properties which will be directly looked upon by the house have no issues with this, there are already a number of dwellings overlooking us and this does not cause concern.

Please note the above comments were received prior to the amended plans being submitted. Following submission of the amended plans, the following comments were received:

- The amended plans do not address the privacy issues regarding overlooking into garden of no. 12 Saron Road. The front bedroom window overlooks garden and patio area.

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

## **Appraisal**

### Principle of development

The principle of residential development is typically supported given the site is located within the development limits where new residential development is directed to, in line with Policies SP3, GP2 and H2.

### Impact upon character and appearance of the area

The character of the area surrounding the site comprises existing residential dwellings. The style and design of properties in the immediate vicinity vary, with two storey properties to the rear and south west of the site including The Gables and 4, 5 and 6 Tanyfan, whilst 7 and 8 Tanyfan and no. 12 Saron Road are bungalows. The proposed dwelling is not considered to have a detrimental impact on the character and appearance of the area and the proposed materials referred to will complement the materials used on adjacent property The Gables.

## Privacy Impacts

The proposed plans for the dwelling have been amended following the original submission and comments received from neighbouring properties. Originally a window was proposed on the rear elevation of the master bedroom looking out towards properties 7 and 8. Given the 'L' shape design of the dwelling this window was proposed to be closer than the other proposed windows at first floor level. The revised plans no longer include a window on this elevation and instead a dormer window is proposed for the master bedroom only which faces west and does not afford direct views towards properties on Tanyfan. A dormer window is still proposed for bedroom 2 on the first floor rear elevation, albeit this is some 10 metres from the site boundary and 22 metres from the rear elevation of properties on Tanyfan. There is also a window and roof velux window proposed on the first floor rear elevation to serve the landing, as this is not a habitable room it is not considered to pose privacy concerns.

In addition, a 2 metre high boundary fence is proposed along the rear boundary of the site with properties of Tanyfan screening views from the garden and ground floor of the property. In terms of the comments regarding the property being built close to the boundary, it is not considered to be built too close as the dwelling is proposed to be sited a minimum of 5 metres from the side boundary and 7.5 metres at the closest point to the rear site boundary.

No fenestration is proposed to the side elevation of the dwelling at first floor so there is no direct loss of privacy to neighbouring properties to the north east and north west. Further comments have been received from the neighbour to the north east of the property with concerns regarding loss of privacy and overlooking. The two storey element of the proposed dwelling will be around 25.7 metres to the rear elevation of the neighbouring property with the existing neighbours garage situated in-between and the existing hedgerow along this boundary. As such, this is not considered to have a significant impact on the amenity of neighbouring occupiers by loss of privacy.

Following the changes to the plans and given the separation distances between the remaining one habitable window on the rear elevation and the front window for bedroom 4, there is not considered to be a detrimental impact on the amenity of residential occupiers as a result of loss of privacy. Furthermore, as the proposed dwelling is set down at a lower finished floor level, the ridge height is in line with the ridge height of bungalows no. 7 and 8 Tanyfan to the rear. As a result, the proposal is considered to meet the requirements of Policy GP1 part d) in relation to any impact on the amenity of adjacent properties.

## **Planning Obligations**

The applicant has confirmed that a draft Unilateral Undertaking will be submitted regarding a commuted payment to contribute towards the provision of affordable housing in the locality and the Caeau Mynydd Mawr Special Area of Conservation (SAC) as part of the proposal. As such, it appears that the proposal complies with the requirements regarding affordable housing within LDP Policy AH1 (Affordable Housing) and Policy EQ7 (Development within the Caeau Mynydd Mawr).

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

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle,



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

## **Conclusion**

After careful consideration of the scheme as submitted it is concluded on balance that the proposed 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. The size and scale of the dwelling is considered to be suitable for the site and comply with the requirements of Policy GP1 and respects the mixed character and appearance of the surrounding area.

Concerns have been raised regarding the height of the dwelling and resulting impacts regarding loss of light and privacy. The proposed dwelling is situated in a similar position and follows the existing building line of the adjacent property The Gables. The amended plans remove the window on the rear elevation of the 'L' shaped element of the dwelling and the remaining one habitable room window on the rear elevation is over 22 metres from the property to the rear and there is over 25 metres from the front habitable window to the neighbouring property to the north east. In addition, the amended plans show the dwelling at a lower finished floor level than properties to the rear and a new 2 metre high close boarded fence is also proposed along the rear elevation. As a result, the proposal is not considered to have a significant impact on the amenity of adjacent properties or residents as stipulated by part d) of Policy GP1.

No objections have been raised by statutory consultees.

## **RECOMMENDATION – APPROVAL**

### **Conditions**

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
  - Site Location Plan scale 1:1250, Site Block Plan scale 1:500 and Site Section and Proposed Levels scale 1:50 drawing no. 1460-02 A received 16 December 2019;
  - Proposed Floor Plans, Elevations and Typical Sections drawing no. 1460-01 A received 16 December 2019.
- 3 Prior to its use by vehicular traffic, the shared use private shall be laid out and constructed with a minimum 4.1 metre wide carriageway.
- 4 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.

- 5 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole C2130 Road frontage within 2.4 metres of the near edge of the carriageway. To include land edged in red and blue.
- 6 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 7 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 8 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.
- 9 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 10 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
- 11 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.
- 12 The 2m high close boarded fence proposed along the west boundary of the site (as shown on the Proposed Site Plan, Elevations and Sections drawing no. 1460-02A) shall be erected at a minimum height of 2m prior to the beneficial occupation of the dwelling. The existing hedge along the north eastern boundary shall be retained thereafter.
- 13 Before the development hereby permitted is first brought into use the en suite and bathroom windows at first floor (as shown on Proposed Plans, Elevations and Sections drawing no. 14601) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.

## **Reasons**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt as to the extent of this permission.
- 3-9 In the interest of highway safety.

- 10 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.
  - 11 To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 12-13 In the interest of privacy.

## Notes

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

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

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

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

- 2 The applicant/developer's attention is drawn to the signed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £6,322.18 per square metre internal floor area and a contribution towards mitigation for the Caeau Mynydd Mawr. Special Area of Conservation (SAC) of £1,043.
  - 4 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).
- Please see the relevant responses from Dwr Cymru/Welsh Water and the Council's Planning Ecologist and Sustainable Drainage Body and refer to the recommendations and advice contained therein.

<b>APPLICATIONS RECOMMENDED FOR REFUSAL</b>
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<b>Application No</b>	<b>E/39091</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	AGRICULTURAL STORAGE UNIT AT LAND TO THE SOUTH OF GRENIG ROAD (WEST OF PANTYFFYNNON), GLANAMMAN, AMMANFORD

<b>Applicant(s)</b>	MRS LINDA MARTIN, 116A GRENIG ROAD, GLANAMAN, AMMANFORD, SA18 1EJ
<b>Agent</b>	DAVIES RICHARDS DESIGN LTD - CHRISTIAN WILLIAMS, 42 RHOSMAEN STREET, LLANDEILO, SA19 6HD
<b>Case Officer</b>	Andrew Francis
<b>Ward</b>	Glanamman
<b>Date of validation</b>	09/07/2019

## Reason for Committee

This application is being reported to the Planning Committee following a call-in request by local ward member Councillor David Jenkins.

## Site

The application site occupies an isolated location within a very attractive area of open countryside, some 2 kilometres South of the centre of Glanamman. The site, together with its forecourt area, presently accommodates a touring caravan, kiosk building, and plastic IPC water storage tank located immediately adjacent to the private access track. The adjacent track, which is segregated from the track by a post and wire fence, also has a gated access onto the track, believed to be the sole point of access off the track onto the associated 5 acre block of upland pasture. The track also serves a number of isolated farmsteads at the foot of Mynydd y Betws.

The associated farmland, which is managed as grazing pasture, is categorised as being Grade 5 – *Very Poor Quality Agricultural Land*, and it is understood the site has no mains water or electricity, albeit there is a spring and pond to the far Northern extent of the land, and further minor watercourse that flows along part of the Northern boundary.

## Proposal

The proposal is to erect an agricultural building measuring approximately 25 feet (7.65m) by 10 feet (3.0m), with a mono-pitch roof and canopy rising from 8 feet (2.5m) to 10 feet (3.1m). The walls are shown to be timber clad, with two separate openings (gated and door) onto the Northern elevation, which open onto a small forecourt area accessed via a gated entrance onto the adjacent track. Positioned at a right angle to the track, and orientated in a Northerly facing direction, the building would have an almost panoramic aspect onto an open upland landscape.

The application is accompanied by an agricultural questionnaire, which states the building would serve the purposes of storage, lambing, and farrowing, with an existing stocking of 20 ewes, 4 pigs and 6 poultry. There are no existing permanent buildings on the site, albeit there is a touring caravan parked at the site, together with a small number of mobile structures and shelters.

## Planning Site History

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

W/38440	DISCHARGE OF CONDITION 24 OF W/33578 Pending
E/37958	AGRICULTURAL STORAGE UNIT Refused - 21/01/2019
E/37454	PROPOSED AGRICULTURAL BUILDING FOR LAMBING AND PIG BREEDING AGRICULTURAL PRIOR NOTIFICATION Planning Required - 12/07/2018
E/27098	RETENTION OF STABLE AND STORAGE BUILDING Full Refused 17/10/2012 - Appeal Dismissed 09/04/2013
E/23596	STABLE BLOCK (RETROSPECTIVE) Refused 25/11/2010

## Planning Policy

In the context of the current development control policy framework the site is located outside of the development limits of the nearest identified settlement of Glanamman, as defined by the Carmarthenshire Local Development Plan (LDP) Adopted in December 2014. The following policies are applicable to the consideration of this application:-

Policy SP1 Sustainable Places and Spaces  
Policy GP1 Sustainability and High Quality Design  
Policy TR3 Highways in Developments - Design Considerations

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by the Welsh Government.

## Summary of Consultation Responses

**Public Rights of Way Officer** - No objection, provided the development does not impinge upon the adjacent PRow.

**Head of Regeneration & Policy (Valuation)** – In the absence of proven agricultural viability and need for a building of this size on the holding, no support can be given for the application.

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

**Local Member(s)** - Councillor D Jenkins has stated his support for this application, as well as requesting for the application to be brought before the Planning Committee for determination.

**Dwr Cymru/Welsh Water** – no observations.

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 displayed in the vicinity of the application site.

No representations have been received.

## Appraisal

As mentioned above, no third party representations have been received in respect of the proposal and the application is presented to the Committee for determination at the request of the local member, who called-in the applicant.

The application seeks planning permission for the erection of a new permanent building on what is a greenfield site in open countryside, isolated and distant from any established holding or complex of buildings. As the proposed building is stated as being required for agricultural purposes on the associated holding, the application is accompanied by an Agricultural Questionnaire which stated the total farmed area as being 13 acres, of which 5 acres is owned and the remainder rented. Despite requests for details pertaining to the area of rented land (8 acres), namely a plan identifying the area of land in question and confirmation as to the terms of any rental/tenancy agreement, the applicant/agent has declined. In the absence of which, any assessment of the needs and justification for the building would have to be based solely on the 5 acres owned by the applicant, given the absence of any secured tenancy for the further 8 acres of unidentified land.

While the building is relatively modest in terms of size, and in other circumstances could well fall within the thresholds of “Permitted Development” (PD). As the “owned” land only amounts to 5 acres, while the prescribed threshold for the purposes of PD would be 5

hectares or more, the development cannot avail itself of such provision. While the accompanying agricultural questionnaire makes reference to the fact that the building would be used for animal welfare (lambling & farrowing), together with storage, this is again based on the unsubstantiated 13 acres of land, rather than the actual 5 acres owned. This has a direct and significant bearing on stocking levels and consequently need and justification. No evidence has been provided as to why the building needs to be at this particular location, and neither is the need for “storage” space qualified.

As the applicant does not live at or close to the holding, routine feeding, inspection and monitoring of the livestock would necessitate, as a minimum, one 4½ km roundtrip journey to the site every day. While this would primarily be for animal welfare purposes, the claimed 1 full time and 1 part time people employed on the holding at present, is considered grossly over-exaggerated, particularly in the context of the unsubstantiated majority portion of the farmed acreage.

The proposed building would be detached from any other agricultural building(s) and sited at an isolated location, which is currently open in character and would be readily seen from the adjacent track/PRoW, as well as more distant views from the Northern slopes of Mynydd y Betws. Notwithstanding the fact that the building would be constructed from sustainable, rather than traditional materials, it is not considered possible to effectively mitigate the harm caused to the landscape by landscaping the site. Not only has the applicant not demonstrated that this is possible or what length of time would be needed for any such landscaping to effectively become established.

## **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**

National planning policy recognises that the countryside is a dynamic and multi-purpose resource. In line with sustainability principles it must be conserved and where possible enhanced, amongst other things, for the sake its landscape. The need to conserve, and where possible enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources then need to be balanced against the economic, social and recreational needs of local communities and visitors to the area.

Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of access and landscape conservation. However, where this is not possible or appropriate new building in open countryside, away from existing settlements, must continue to be strictly controlled. All new development should respect the character of the surrounding area.

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal represents an unjustified



development in the open countryside that is at odds with the policy objectives of the Local Development Plan. The application is therefore recommended for refusal on the following grounds.

## **RECOMMENDATION – REFUSAL**

### **Reasons for Refusal**

- 1 The proposal is contrary to Policy GP1 of the Carmarthenshire Local Development Plan, which states:

#### **Policy GP1 Sustainability and High Quality Design**

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

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

**Proposals will also be considered in light of the policies and provisions of this**

**Plan and National Policy. (PPW: Edition 10 and TAN12: Design (2014)).**

In that the proposal to erect a building at this location in open countryside does not conform with, or enhance the character and appearance of the site and its surroundings as it is located in an isolated position distant from any settlements or facilities. The proposed permanent structure is harmful to the character and appearance of the surrounding countryside as it would appear prominent and conspicuous in the landscape.

- 2 The proposal is contrary to Technical Advice Note (TAN) 6 Planning for Sustainable Rural Communities (July 2010) Paragraph A14, which reads:-

**Design, appearance and siting (advice for farmers and developers)**

**A14. The siting of a new agricultural or forestry building, road, excavation or waste deposit, or fish tank can have a considerable impact on the surrounding landscape. Developments should be assimilated into the landscape without compromising the functions they are intended to serve. New buildings should normally form part of a group rather than stand in isolation, and relate to existing buildings in size and colour. However, new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Sites on skylines should be avoided. To reduce visual impact, buildings should be blended into the landscape or, on sloping sites, set into the slope if that can be achieved without disproportionate cost**

In that the proposed site occupies a conspicuous location in a highly prominent location in what is an attractive landscape where there is no effective screening from the adjacent track, public right of way, or from wider and more distant vantage points. This isolated location, unrelated in any way to any other nearby built development or existing landscape features, means the development would appear obvious in the surrounding landscape to the detriment of its visual quality. The existing holding is not considered to be economically viable, based on the small acreage of very low grade agricultural land available to support it, and expansive nature of the livestock enterprise. As such, the building would appear as an injurious visual incursion into the surrounding countryside to the detriment of the rural character of the area, and the proposal would create a fragmented pattern of development, which could be replicated several times over. The small acreage of land could not support the proposed stocking levels without relying on large amounts of bought in feed which would make the proposed agricultural unit unviable.

- 3 The proposal is contrary to Paragraphs 2.4 and 3.34 of Planning Policy Wales, Edition 10 (December 2018) which read:-

**2.4 Individual places can take many forms and interpretation of what makes a good place will vary. Each place will have its own unique characteristics, history and identity, based on how people have and will interact with the landscape and townscape. This 'sense of place' varies, from the rural**

**countryside which provides an economic and environmental base for agriculture and tourism to thrive, to urban areas which are continually evolving and providing the focus for major social and economic development. The intrinsic value of a place to people or communities is particularly important, which may be due to aesthetic, cultural, spiritual or historical reasons and planning authorities are best placed to understand these. Many of the unique characteristics of places will be revealed in the local well-being assessments and area statements produced in accordance with the Well-being of Future Generations and Environment Acts.**

**3.34 The countryside is a dynamic and multi-purpose resource. In line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources. The need to conserve these attributes should be balanced against the economic, social and recreational needs of local communities and visitors. Fostering adaptability and resilience will be a key aim for rural places in the face of the considerable challenge of maintaining the vibrancy of communities and availability of services as well as contributing to the Cohesive Communities well-being goal. This is coupled with ensuring the countryside is resilient to the impacts of climate change and plays a role in reducing the causes of climate change through the protection of carbon sinks and as a sustainable energy source in line with the Resilient Wales well-being goal.**

In that the proposed site occupies a conspicuous location in a highly prominent location in what is an attractive landscape where there is no effective screening from the adjacent track and public right of way. As the development cannot be successfully assimilated into its setting, it would appear wholly out of keeping in this part of the open countryside and detract from the attractive rural character and appearance of the landscape within which it is to be sited.

<b>Application No</b>	<b>E/39463</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED DEMOLITION, AND ERECTION OF TWO STOREY REAR EXTENSION. REPLACEMENT OF GARAGE ROOF TO A TRADITIONAL SADDLE ROOF WITH TIMBER KINGPOST AT 29 CWMFFERWS ROAD, TYCROES, AMMANFORD, SA18 3TU

<b>Applicant(s)</b>	JAMIE CARD, 29 CWMFFERWS ROAD, TYCROES, AMMANFORD, SA18 3TU
<b>Agent</b>	DR DESIGN - LIAM WILLIAMS, 42, RHOSMAEN STREET, LLANDEILO, SA19 6HD
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Saron
<b>Date of validation</b>	13/09/2019

## Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Karen Davies.

## Site

The application site consists of the curtilage of the existing dwellinghouse no. 29 Cwmfferws Road, Tycroes. The detached two storey dwellinghouse is situated in the north western corner of the site fronting onto the main road with the existing single storey garage to the south. To the rear of the property lies a large rectangular shaped garden backing onto Fferws Hill. There is an existing single storey extension onto the rear elevation. The submitted plans show the dwelling with a cream render finish with two windows at ground floor and two in line above at first floor. However, from a site visit it appears changes to the front elevation of the dwelling including the creation of a new front door, installation of oak lintels and exposure of the existing stonework has already been undertaken.

## Proposal

The planning application seeks full planning permission for demolition of part of the existing dwelling and erection of a two storey rear extension alongside replacement of the garage roof. The existing 3.5 metre two storey element of the dwelling alongside the 3

metre single storey extension is proposed to be demolished. In its place, albeit offset slightly from the main dwelling, a 9 metre long two storey extension is proposed with a new pitched roof. The proposed extension contains a large open plan kitchen, dining room and sitting area with a separate utility room at ground floor, a new WC is also proposed at ground floor within the existing dwelling. An exposed flu is proposed on the south elevation of the extension to accommodate a free standing log burner. At first floor, the extension will provide 4 bedrooms and 2 bathrooms, the master bedroom will also have dedicated separate en-suite and dressing room. The existing two bedrooms within the main part of the original dwelling will remain with the creation of an en-suite to one of the bedrooms. The extension will result in the dwelling becoming a 6 bedroom property from 3 bedroom as existing.

The extension will comprise a pitched roof with the external finish of the walls to be cream painted smooth cast render, similar to the existing property. For the front elevation of the main element of the property the application refers to exposure of the existing stonework, instillation of new oak timbers above each window and creation of a new front door. As referred to above, this element of the scheme has already been undertaken.

On the rear elevation, two large bi-folding doors are proposed at ground floor and a large vertical window at first floor. On the side elevation to the north, a single new obscure glazed window is proposed at first floor level for one of the bedrooms and three velux windows for the bedroom and bathroom. On the southern side elevation, two new windows and a new door is proposed at ground floor with 3 windows proposed at first floor.

The application also seeks permission for alterations to the existing garage through the provision of a saddle roof with timber kingpost on the front elevation and relocation of single access door from the rear to northern side elevation. A bat box is proposed to be affixed to the northern side elevation of the existing part of the dwelling in line with the recommendations within the Bat Survey Report.

## **Planning Site History**

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

TA/83133 DETACHED RESIDENTIAL DWELLING WITH FRONT PAVED PARKING AREA  
Withdrawn prior to registration – January 2019

## **Planning Policy**

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits. Reference is drawn to the following policies of the Plan:-

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')  
SP1 Sustainable Places and Spaces  
GP6 Extensions  
EQ7 Development within the Caeau Mynydd Mawr SPG Area

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** - No objections.

**Planning Ecology** – have issued a bat advisory and requested a condition is added to any permission granted.

**Sustainable Drainage Approval Body (SAB)** – advised of the new drainage legislation and application likely to be necessary for SAB approval.

**Llandybie Community Council** - No observations to make.

**Local Member(s)** - Councillor Karen Davies has requested that the application is brought to Planning Committee for determination and a site visit is undertaken.

**Dwr Cymru/Welsh Water** – request condition added to any permission granted.

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

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and a site notice posted opposite the application site.

One representation was received, objecting and the matters raised are summarised as follows:

- Extension goes beyond the current building line and will leave me staring at a brick wall with no light into the only window in the property which received direct sunlight.
- It will also remove view from this window which was the main reason for purchasing property.
- Property will be very dark as a result of the extension.

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

## Appraisal

The principle of providing an extension at the property is acceptable, subject to it being of a suitable scale and design to conform with or enhance the existing dwelling as required by Policy GP6. The application seeks planning permission for demolition of the existing rear part of the dwelling and single storey rear extension and creation of a new two storey extension of 9 metres in length. When comparing the length of the proposed extension from the existing two storey element this is a further 5.4 metres two storey extension. The proposed extension also involves a pitched roof with a height of around 7 metres from finished floor level compared to the existing two storey element which has a height of around 5.1 metres. The size, scale and height of the proposed extension as presently

submitted is considered to be out of character and not subordinate or compatible with the size of the existing dwelling, as required by criteria a) of Policy GDP relating to extensions.

Furthermore, the proposed extension by virtue of its size and positioning is considered to have a detrimental impact on the amenity of neighbouring occupiers by loss of light and overbearance. As highlighted in the comments from the neighbour to the site, the extension will block out sunlight into the neighbouring properties to the north and as a result adversely affect the amenity of adjacent land users. Therefore, the proposal as submitted also fails to comply with Policy GP1 criteria d) and GP6 criteria d).

Following registration of the application, the agent was notified that the proposal fails to comply with specific criteria of Policies GP1 and GP6 along with suggested alterations to the scheme. The Planning Officer was subsequently advised that the applicant would like the application reported to Planning Committee for consideration as submitted.

The garage alterations and proposed changes to the front appearance of the dwelling by virtue of creation of a new front door and exposure of the existing stonework is considered acceptable and enhances the appearance of the dwelling as specified by Policy GP1.

The other comment received relating to loss of a view is not a material planning consideration, albeit it is noted that the proposal will significantly impact on the outlook of the adjacent property.

## **Planning Obligations**

None

## **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 as submitted is considered not to be acceptable given it is not subordinate or compatible to the size and character of the existing residential dwelling and its impact on the amenity of adjacent residential dwelling. Whilst the proposal complies with some policies within the Local Development Plan (LDP) and the principle of a two storey extension at the site is acceptable subject to being of a suitable size and scale, the application as submitted fails to comply with the relevant criteria within LDP Policies GP1 and GP6, by reason of its size and scale and resulting impact and overbearance on the adjacent property.

No objections or concerns have been raised by statutory consultees. Nevertheless, on balance the proposal is not subordinate to the existing dwelling and fails to comply with

criteria within Policies GP1 and GP6 and therefore it is recommended that the application be refused for the following reasons:

## **RECOMMENDATION – REFUSAL**

### **Reasons for Refusal**

- 1 The proposal is contrary to Policy GP6 of the Carmarthenshire Local Development Plan which states:

#### **Policy GP1 Sustainability and High Quality Design**

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

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



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

In the scale, design and massing of the proposed extension is not considered to be subordinate or compatible to the size and character of the existing dwelling, as required by criteria a). The proposed development by virtue of its scale, height and massing and proximity to the adjoining property of no. 72 Cwmfferws Road would result in an overly dominant form of development that would unacceptably harm the amenity of the adjacent residents.

- 2 The proposal is contrary to Policy GP6 of the Carmarthenshire Local Development Plan, which states:

### **Policy GP6 Extensions**

**Proposals for the extension of existing residential dwellings / use class C3 (which require planning permission) whether buildings, other structures or a particular land use must comply with the following:**

- a. **The scale of the proposed extension is subordinate and compatible to the size, type and character of the existing development and does not result in over development of the site, nor lead to reduced and inadequate areas of parking, utility, vehicle turning, amenity or garden space;**
- b. **The external appearance of the proposed extension in terms of design is subordinate, and the materials should complement that of the existing development;**
- c. **There are no adverse effects on the natural environment, landscape/townscape or the setting and integrity of the historic environment;**
- d. **The local environment and the amenities of neighbouring developments are not adversely affected by the proposed extension;**
- e. **The use to be made of the proposed extension is compatible with the existing building, structure or land use.**

In that the scale, height and massing of the proposed extension as submitted combined with its proximity to the adjoining property of no. 27 Cwmfferws Road would result in an incongruous and overly dominant form of development that would unacceptably harm the living conditions of the occupiers of this property by way of overbearance, loss aspect and loss of light.

## **Notes**

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

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent

developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

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

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

- 2 Comments and responses received from consultees and third parties can be found on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)). They may also relate to other permissions or consents required or include further advice and guidance.
  - Please see the relevant responses from Dwr Cymru/Welsh Water and the Council's Planning Ecologist and refer to the recommendations and advice contained therein.