

**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 07 IONAWR 2021
ON 07 JANUARY 2021**

**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 yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	07 JANUARY 2021
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NO's
E/37678	The proposed installation of a 22.5m telecommunications mast accommodating three no. antennas, two no. microwaves dishes, together with remote pole mounted satellite dish, ancillary equipment cabinets and cabling within a fenced compound at land south of Ystrad Ffin, Rhandirmwyn, Llandovery, SA20 0PG	9-18
E/39715	Remove overgrowth and creating a new gravel parking area to ease congestion on Penybanc Road during match days and training nights at Penybanc RFC, Penybanc Road, Ammanford, SA18 3QS	19-31

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/37678
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Application Type	Full Planning
Proposal & Location	THE PROPOSED INSTALLATION OF A 22.5M TELECOMMUNICATIONS MAST ACCOMMODATING THREE NO. ANTENNAS, TWO NO. MICROWAVES DISHES, TOGETHER WITH REMOTE POLE MOUNTED SATELLITE DISH, ANCILLARY EQUIPMENT CABINETS AND CABLING, WITHIN A FENCED COMPOUND AT LAND SOUTH OF YSTRADFFIN, RHANDIRMWYN, LLANDOVERY, SA20 0PG

Applicant(s)	THE HOME OFFICE AND EE LIMITED
Agent	SAVILLS – JOHN DAVIES
Case Officer	Kevin Phillips
Ward	Llandovery
Date registered	16/08/2018

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 proposed site is located within a field at the western edge of Ystradffin farmstead, within a low-lying corner section of the field, against a backdrop of mature trees on the north side of the unclassified 4174 road between Rhandirmwyn and Llyn Brianne. The site is set down from the road with the field rising to the main road, and the land falls further to the north towards the river Tywi. The wider area is incised river valley, elevated hills, with local roads following the river to the north as well as the Rhandirmwyn to Llyn Brianne road to the south. The site will be accessed with a new track and field entrance, which will be set back from the road to allow safe vehicle entry into the field. The site is approximately 370 metres from Gwenffrwd Dinas Nature Reserve which is within Cwm Dorthie-Mynydd Mallaen SSSI.

Proposal

The proposed development is the erection and installation of a 22.5m telecommunications lattice mast, accommodating three antennas, two microwaves dishes, together with a remote pole mounted satellite dish, ancillary equipment cabinets and cabling, within a fenced compound, and an access track to/from the compound.

The proposed 22.5m mast is required to provide the coverage to the target roads within the mobile phone cell areas. The lattice mast can accommodate required antennae and is able to be shared by other operators or users in the future should they wish to deploy antennae to improve coverage locally. The lattice mast is sited and has the benefit of a backdrop or foreground screening, as the open framework mast sits against the existing mature woodland with the mast being mostly visible from the north east along the highway, and the Dinas nature reserve from a distance, and the upper most part of the mast being visible above the trees from the highway when travelling from the east . The proposed mast and antennae will be a green colour in addition to the fencing around the compound which is to be landscaped to soften the impact.

The location is selected to offer good line of sight both to the road to the north as well as the road going north east to south west and alternative sites were dismissed because of increased landscape sensitivity, greater excavation and resulting increased visual impact.

Planning Site History

There is no relevant planning history on the application site.

Planning Policy

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

SP1 Sustainable Places and Spaces

SP13 Protection and Enhancement of the Built and Historic Environment

SP14 Protection and Enhancement of the Natural Environment

SP17 Infrastructure

Policy GP1 Sustainability and High Quality Design

Policy EQ6 Special Landscape Areas

[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 - Any planning permission shall be subject to the application of 7 highways related conditions.

Head of Public Protection - No adverse comments to make on the application.

Llanfair-ar-y-Bryn Community Council - No observations received to date.

Cilycwm Community Council - Object due to the access and visual impact of the temporary site, the height of the mass stands twice above the current trees sited near-by, and councillors feel there are alternative sites, part of Ystradffin, that would be more favourable.

Local Member(s) - Councillor H Davies has not commented to date on the application.

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 and 3 representations were received objecting, and the matters raised are summarised as follows:-

- The proposal will significantly damage the quality of the Tywi Valley landscape.
- Lack of previous consultation on the application, Community Consultation should have taken place.
- The application should proceed in accordance with Welsh Government document Telecommunications: Assessment of Permitted Development Rights in Wales - December 2017 and a meeting between the residents and applicant should have been undertaken.
- Concern is raised regarding the health implications from the proposed telecommunication mast.
- An alternative design with the mast disguised as a tree and a stone/timber boundary for the compound should be agreed.
- Emergency services can contact by satellite phones and therefore why is the telecommunications mast required.
- The mast will not be in the best position for coverage for the general public.
- The ability for the telecommunications mast to improve the response time for emergency services is questioned.

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

Appraisal

Principle of Development

The Emergency Services Mobile Communications Programme (ESMCP) is a Home Office led programme responsible for replacing Airwave telecommunications network and aims to provide an integrated critical voice and broadband data communications service for the three Emergency Services(ES) to meet the public safety requirements for functionality, coverage, availability and security. Police, Fire and Health are all represented on the Programme at strategic and operational levels, including the relevant government departments and devolved bodies in Scotland and Wales. ESMCP is progressing in close collaboration with the 3ES, who provided the requirements for their future communications and will be responsible for transitioning on to the new service. Emergency Services Network (ESN) will be delivered across England, Scotland and Wales via a mix of existing and new greenfield mast sites. The radio coverage will be provided by EE who are delivering much of the core network by upgrading existing sites and building new sites. There are areas beyond the EE network which require coverage and these will fall within the EAS (Extended Area Services) project, and these sites will be rolled out by the Home Office. This application is one such site.

The site in this instance is required to provide emergency services coverage at the roads around and between Rhandirmwyn and Llyn Brianne, as part of a wider network improvement. There are also further sites planned at Rhandirmwyn and Llyn Brianne. The requirement in this middle section is relatively specific as coverage is needed to two roads

which are almost perpendicular to each other within a steep valley landform. Given the steep valley sides the mast site needs to be positioned to have line of sight along both sections of road, north to Troed-rhiw, south west towards Rhandirmwyn and north east towards Llyn Brinne. In order for both roads to be covered, a site is required in a position which will connect along both roads which therefore limits the feasible locations to a small area between, Pen y Darren, Ystradffin and RSPB Dinas. The application site selected has a position which still has line of sight to both roads, in a position lower than the highway and with surrounding tree cover also means that a height of 22.5m is required to provide the necessary coverage.

Impact upon Character and Appearance of the Special Landscape Area

The application site is in a dip in the field, below the highways and adjacent to an existing mature woodland area within the Tywi Valley Special Landscape area and therefore policy EQ6 of the LDP is relevant. The site is a very natural and attractive landscape and the mast is sited adjacent to the existing woodland, which assists in terms of screening the proposal ,but it does not restrict views of it from the highway when travelling from the East and when travelling from the West the upper most part of the mast will be visible, and more so in the winter months when the trees are devoid of foliage.

The agent has submitted photomontage representations of the mast when in situ and has since confirmed following concerns raised regarding the usual white coloured antennae, that the antennae will be coloured green. The impact of the mast in this setting is crucial in the determination of the proposal and the Authority's Landscape Officer is of the opinion that the mast will have a significant impact upon the quality of the landscape. Therefore, following significant discussions and correspondence between the applicant/agent and the Local Planning Authority, it will need to be determined whether the harm caused by the mast in the landscape will be so significant that it has greater weight than the need for the mast for the improved service for the emergency services.

Highway Impacts

Following revised options to the access which included the provision of an appropriate visibility splay, grass-crete splayed entrance and a stone track to the compound, the Head of Transport has considered the recent proposal in detail, including the ability to manoeuvre in and out of the site for construction traffic and maintenance vehicles, and it has been concluded that support is forthcoming subject to the application of appropriate conditions.

Other Matters

The LDP policies are broadly in line with advice provided in Planning Policy Wales: Technical Advice Note 19 (TAN19) 'Telecommunications' (August 2002). Technical Advice Note (Wales) 19 provides guidance to Welsh Authorities on dealing with applications for telecommunications and is a material consideration in determining planning applications. The guidance provides useful advice for local authorities with regards to the issue of constraints faced by operators over the location of equipment

'In some cases, local planning authorities may conclude that planning permission ought to be refused because of siting or appearance considerations. But they should first seek to understand the constraints the operator faces, whether due to the nature of the technology or the legal requirement to provide a service'.

Authorities are advised in TAN 19 to respond positively to proposals for telecommunications development and to understand the associated special problems and technical requirements faced by operators. That advice and the permitted development rights maintained to facilitate the establishment of networks apply even in locations usually subject to policies of restraint. Against this background of encouragement, TAN 19 also recognises the need, now with greater emphasis, to strike an appropriate balance between operational and environmental considerations.

The Stewart Group's report suggested a number of specific precautionary actions that have been accepted by the Welsh Government. The Report does not provide any basis for precautionary actions beyond those already proposed. In the Welsh Government's view, local planning authorities should not implement their own precautionary policies, such as imposing a ban or moratorium on new telecommunications development or insisting on minimum distances between new telecommunications development and existing development. Para 80 of TAN 19 states that the Stewart Report considered that the possibility of harm couldn't be ruled out with confidence and those gaps in knowledge are sufficient to justify a precautionary approach. The Report recommended a precautionary approach comprising a series of specific measures, which has been accepted by Welsh Government.

These include:-

- the emissions from the masts should meet the ICNIRP Guidelines for Public Exposure;
- in relation to the macrocell base stations the beams of greatest intensity should not fall on any part of a school ground or buildings without agreement from the school or parents.

In respect of the above two issues the proposal meets the ICNIRP Guidelines and a Declaration of Conformity with ICNIRP Public Exposure Guidelines was submitted with the application and the site is a remote location and there are not considered to be any health concerns for any local residents.

Response to Representations Received

The proposal will significantly damage the quality of the Tywi Valley landscape.

It is acknowledged that the proposal is in a sensitive location within the Tywi Valley Special Landscape area and the telecommunications mast will be visible from the public highway that passes the site. However, it is considered that the siting of the mast at the lowest point in the field, adjacent to a woodland, with only the upper sections being visible from the west, and the mast being visible from the North East with a backdrop of a mature woodland and colour improvements to the mast to reduce its visual prominence, the proposal is considered to be the best proposal possible at this location.

Lack of previous consultation on the application, Community Consultation should have taken place.

The application has been publicised through a site notice and there has been consultation of Local Councillor and Community Council, including a number of statutory consultees and all the comments raised for and against the proposal have been considered in coming to a balanced decision on this application

The application should proceed in accordance with Welsh Government document Telecommunications: Assessment of Permitted Development Rights in Wales - December 2017 and a meeting between the residents and applicant should have been undertaken to discuss the proposal.

The agent has conveyed in the application that the pre-application consultation was issued to the local Member and local Community Council. Llanfair-ar-Y-Bryn Community Council supported the proposal and would support further if the mast were to provide services to public users as well as the Emergency Services. This was echoed in responses from various individual councillors and also the local MP who all would welcome the provision of commercial services.

The agent further conveys that they have responded to clarify that the application and instruction is on behalf of the Home Office as part of the new emergency services rollout programme, and as such we do have not the influence or ability to include other operators in the proposals, although frustrations with a lack of local coverage are fully appreciated.

Concern is raised regarding the health implications from the proposed telecommunication mast.

The proposal meets the ICNIRP Guidelines and a Declaration of Conformity with ICNIRP Public Exposure Guidelines was submitted with the application and the site is a remote location and there are not considered to be any health concerns for any local residents because of its remote siting.

An alternative design with the mast disguised as a tree and a stone/timber boundary for the compound should be agreed.

The proposed site of the mast is at a significant drop in the field, and there is a raised area of land to the eastern side of the application site; the mast will be visible when travelling along the highway and the base of the site will only be visible when very close to the site on the highway. The application proposes a green security fenced compound with a mitigating landscaping scheme around the base; it is considered because of the nature of the significant undulation in the field and the lower level of the base for the mast, that a stone or timber boundary for the compound is required to be pursued. The erection of a coniferous styled tree as proposed would equally stand out as an alien and incongruous proposal at this location and it is considered that the green coloured, open framed lattice mast with green antennae, which allows for possible sharing, will be best suited at this location.

Emergency services can contact by satellite phones and therefore why is the telecommunications mast required.

The Home Office has considered that improvements to the service required for the Emergency services is needed and this is the most safe and secure system to ensure adequate provision.

The mast will not be in the best position for coverage for the general public.

The applicant has indicated that other options in terms of sites have been looked at and this location is selected to offer good line of sight both to the road to the north as well as the road going north east to south west and alternative sites were dismissed because of increased landscape sensitivity, greater excavation and resulting increased visual impact.

The ability for the telecommunications mast to improve the response time for emergency services is questioned.

The Local Planning Authority is not able to contradict the technical aspects that the proposed telecommunications mast will improve the service for the Emergency Services and hence improve efficiency of the emergency service.

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

The application is submitted in order to support the needs of the emergency services for telecommunications coverage and a number of alternative sites have been examined and it is shown that this is the best location for the mast in the locality with the physical and technical restrictions that have had to be worked within. It is considered that in this instance, that the applicant has sufficiently proved that all other options have been explored and exhausted.

In terms of design the detailed drawings of the proposed mast along with the supplementary information submitted within the application indicate that the mast is of a lattice mast construction, painted green and set within the landscape in a dip in the field with significant tree screening to the western side, provides the best option possible. The Landscape Officer is of the opinion that the proposal remains an unacceptable impact upon this location, introducing an alien feature into the landscape.

National Planning Guidance in the form of Planning Policy Wales and TAN19 sets out to facilitate the growth of new and existing telecommunications systems. It is felt that the supporting evidence submitted with the application demonstrates the technical need for the proposed installation, and whilst the siting and design of the proposed mast ensures that environmental impact is kept at a minimum, it remains that it will have an impact upon the landscape quality in the locality.

After detailed assessment and careful examination of the proposal as submitted in relation to its surrounding environs, planning policy, the representations received to date and all other relevant matters, it is considered that, on balance, the proposal at this location accords with both local and national planning policy, being sited and designed to have as little potential environmental impact as possible to the landscape, whilst being able to provide the infrastructure required for the improved communications for the emergency services. Therefore, on balance the application is supported, and a recommendation of approval is made.

Recommendation – Approval

Conditions and Reasons

Condition 1

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

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

Condition 2

The development relates to the following plans and documents and works shall be carried out in accordance with them unless amended by any conditions below:-

- Location Plan (201 Rev D), received 15 July 2020;
- Proposed Site Plan (203 Rev D), received 15 July 2020;
- Proposed Site Elevation & Antenna Plan (204 Rev D), received 15 July 2020;
- VSAT Compound Plan & Elevation (210 Rev C), received 15 July 2020;
- Visibility Splay Plan (211 Rev A), received 15 July 2020.

Reason: In the interest of visual amenity.

Condition 3

The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Agricultural Access Standards Layout specification prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

Reason: In the interest of highways safety.

Condition 4

Any access gates shall be set back a minimum distance of 12 metres from the highway boundary, and shall open inwards into the site only.

Reason: In the interest of highways safety.

Condition 5

The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 15 metres from the edge of the carriageway.

Reason: In the interest of highways safety.

Condition 6

Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 120 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the

access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.

Reason: In the interest of highways safety.

Condition 7

The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

Reason: In the interest of highways safety.

Condition 8

The new access shall be hard surfaced in a bonded material for a minimum distance of 12 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

Reason: In the interest of highways safety.

Condition 9

No development shall take place until a detailed Construction Traffic Management Plan is submitted for the written approval of the Local Planning Authority and thereafter shall be implemented in full and as agreed.

Reason: In the interest of highways safety.

Condition 10

Prior to the commencement of the development hereby approved, details of the exact colour of the proposed telecommunications mast, antennae, compound fencing and equipment shall be submitted to the Local Planning Authority for approval. The development shall be carried out strictly in accordance with the approved details.

Reason: In the interest of visual amenity.

Condition 11

Notwithstanding the details approved in condition 2 above, the access shall be completed in grass-crete concrete for the first 12 metres; to the timber gate set back from the highway.

Reason: In the interest of visual amenity.

Notes/Informatives

Note 1

Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised

development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

Note 2

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

Application No	E/39715
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Application Type	Full Planning
Proposal & Location	REMOVE OVERGROWTH AND CREATING A NEW GRAVEL PARKING AREA TO EASE CONGESTION ON PENYBANC ROAD DURING MATCH DAYS AND TRAINING NIGHTS AT PENYBANC RFC, PENYBANC ROAD, AMMANFORD, SA18 3QS

Applicant(s)	MR MARC JONES - PENYBANC RFC
Case Officer	Zoe James
Ward	Saron
Date registered	28/10/2019

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 land situated directly adjacent to the west of the existing Penybank Rugby Football ground. The site is bordered to the north by residential dwellings and rear gardens of Parc Fferws, with the A483 Penybank Road beyond, to the west is the internal access road of Parc Fferws and to the south is woodland. A new junior playing pitch, originally partly within the red line site area, has already been constructed. The amended application site presently comprises cleared land, previously the site was vegetated with scrubby woodland.

The site has a fairly steep slope at the western boundary and slopes in an easterly direction where it then evens off and adjoins the existing Penybank RFC pitch. The site is presently fenced off from its western boundary with Parc Fferws.

The site is not situated within any environmental or ecological designations, and is within the Coal Authority's Development Low Risk Area. The site is immediately adjacent to the existing Penybank RFC which is designed as Recreation Open Space within the Local Development Plan (LDP).

Proposal

The application has been submitted by Penybank Rugby Football Club (RFC) who are an expanding community facility. Penybank RFC presently host a senior team in the Welsh

Rugby Union Division 3 West Central C league and junior teams from the under 7's up to the under 13's.

The club had one full size pitch which is advised not to be sufficient to fulfil the needs and requirements as the club expands. At present the main access for vehicles and pedestrians to Penybanc RFC is directly from the A483 Penybanc Road adjacent to the clubhouse. The proposal is to create an additional overflow car park adjacent to a new junior playing area next to the existing pitch. The application involves the clearance of vegetation and releveling of the site to provide the new gravel overflow car parking area. The vegetation clearance has been undertaken prior to submission and registration of the planning application. A new junior pitch area adjacent to the proposed car park area has also been created.

The new car parking area proposed to the west of the site includes new gated vehicular access from Parc Fferws via a ramp. The car park is proposed to provide approximately 40 car parking spaces and be used for overflow car parking for the club on match and training days. The proposal also involves the creation of an emergency vehicle access onto the pitch and new stepped pedestrian access to the pitch. Revised plans have been submitted during the course of the planning application to reduce the amount of material required to level the land to provide the new parking area following discussion with the Authority's Minerals Officer.

New planting is also proposed along the site boundary and within the car parking area to provide a form of mitigation following the loss of the existing vegetation. The agent has advised that 420 new saplings will be planted along the south and west boundary of the application site. The saplings are a mixture of species which include Hawthorn, Silver Birch, Rowan and Hazel. The applicant has advised that the saplings have now been delivered and they are in ongoing discussions with the Welsh Rugby Union regarding the planting of the saplings. A statement has been submitted by the applicant providing further details on the proposed planting method and maintenance in line with the Woodland Trust guidance. In addition, the statement provides further details on the bird and bat boxes to be provided within the wider rugby football ground. The statement has been reviewed and accepted by the Planning Ecologist with a condition proposed to secure the tree planting and bird/bat boxes.

The application submission has been supported by plans, sections, Transport Statement, Road Safety Audit (RSA) and Car Park Traffic Management Plan (CPTMP). Access to the proposed car park will be taken from an extension to the Parc Fferws residential estate road. This junction is a simple T-junction leading to 35 residential dwellings and HRW Contracting Ltd builder's compound. The parking bays will not be laid out as per the indicative plan as the car park will have a gravel surface, the plan is provided to give an indication of how it can operate.

The proposed car park is for vehicle access only and pedestrian access from the car park to the field. The car park is for restricted parking and will be gated/locked when not in use and only open for training, club matches and community events. The proposal is to have gated access via a ramp to the car park, incorporating a lower ramp onto the field for emergency vehicle access (i.e. an ambulance). This will also be utilised by pedestrians parking within the car park to access the field.

The proposal to increase the parking area will also allow Penybank RFC the opportunity to provide bicycle parking behind the club which will be more secure for the players and nearer the changing rooms.

Planning Site History

The site has the following planning history:-

E/00826	Extension to rugby club Full planning permission	16 December 1997
P6/9970/84	Floor lighting Full planning permission	08 March 1984
P6/6325/80	Showers and dressing rooms Full planning permission	29 January 1981
P6/6397/80	The external cladding materials to be used shall match the existing building Full planning permission	31 July 1980

Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is not allocated for any purpose and is located just outside of 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

SP2 Climate Change

SP6 Community Facilities

GP1 Sustainability and High Quality Design

GP2 Development Limits

TR3 Highways in Developments – Design Considerations

EQ4 Biodiversity

EQ5 Corridors, Networks and Features of Distinctiveness

EP3 Sustainable Drainage

REC1 Protection of Open Space

REC3 Proposed New Open Space

[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 – Following review of additional information and surveys undertaken have confirmed no objection subject to imposition of recommended conditions.

South Wales Trunk Roads Agency – Following review of the scheme and revised details confirm they do not raise a direction to the scheme to provide the parking area. Parc Fferws is a county road and any parking here is a matter for the local highway authority.

Head of Public Protection - No observations received to date.

Llandybie Community Council – Application should be approved for this community facility to improve the road safety measures on the main trunk road.

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

Natural Resources Wales – No observations on the proposed scheme.

Dwr Cymru/Welsh Water – No objection, response refers to location of public sewers in vicinity of the site.

The Coal Authority – No objection to application.

Planning Ecology – Initially raised concerns regarding vegetation clearance undertaken prior to submission and following additional information provided satisfied subject to conditions.

Sustainable Drainage Approval Body (SAB) – SAB approval has been issued for the proposal under reference: SAB/00017.

Minerals Officer – Significant consultation has been undertaken with Minerals Officer with revised plans submitted showing change in the levels to reduce the amount of material required to be imported to the site as requested. Recommended conditions have now been provided in relation to any material removal from site.

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

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and site notices displayed in the vicinity.

Around 110 representations were received, 40 objecting and 71 in support, and the matters raised are summarised as follows:-

- Highway Safety
 - Object that the club propose to use small quiet residential estate as an entrance to a car park for 40 vehicles.
 - The road is unsuitable for residents and part of it has not been adopted. Who will be responsible for maintaining the road, particularly if an extensive volume of traffic is added?
 - Access in and out of Parc Fferws is already an issue - significant traffic problems when 40 cars try to leave junction at same time.
 - Road is not designed for the extra number of vehicles.

- Senior rugby players from away teams drive in an unsafe manner.
 - The roads and lighting in Parc Fferws are inadequate.
 - There is existing access to the club already, this should be used instead. Rugby club already has a car park and there is an additional car park behind the Welfare Hall which could be used.
 - Concerns over what will happen when car park full? Who will control parking area if approved and stop overflow parking within Parc Fferws?
 - Residents have been waiting over 3 years for the road and driveway to be tarmacked.
 - Bringing this amount of traffic and unknown visitors into a small residential estate is unsafe and will result in loss of privacy, comfort and security in homes.
 - Pictures taken by rugby club showing parking problems were taken when road works taking place giving a false indication of the situation.
- Impact on Residential Amenity
 - No consultation undertaken with residents.
 - Proposal will cause disruption, congestion added pollution and noise to the area, will alter quality of life.
 - No consideration given to safety of young children who play on the estate.
 - Residents do not want to overlook rugby pitch.
 - Privacy and security will be jeopardised.
 - If approved residents will blockage the road to protect safety of children.
 - Hard to find anywhere to park in the estate now, this will make it worse.
 - Proposal will relieve congestion on Penybanc Road and bring it onto our quiet small estate road where children play safely in the street.
 - Light pollution will have direct negative impact from any floodlights on the new pitch.
 - Residents opinions should come first as they have to live there.
- Wildlife
 - Loss of trees/greenery.
 - Land was cleared of habitat which contained numerous animals.
 - Trees housed wildlife but also provided noise barrier to residents on training nights and shield from bright lights.
 - Site clearance work carried out during nesting season.
 - No discussion with residents. Work started 6 months ago with no planning permission and notice was only given to stop work after complaints made to the Council. Yet the pitch was already completed, and woodland destroyed for the project and during nesting season.
- Other
 - Money should be spent on a children's park instead.
 - Submitted plans do not show the full extent of the residential estate.
 - Number of discrepancies within the submission, including false statements, grammatical and structural errors and consider that the application is only a "token effort" to make the application appear legitimate when in fact underhand tactics have been used.
 - The majority of those in favour of the proposal do not live nearby.
 - Proposal will dramatically decrease house prices within Parc Fferws.

- Houses will be more difficult to sell.
 - Residents awaiting response from AM Adam Price regarding ongoing issues with the road in Parc Fferws.
- Support comments
 - Improve parking situation.
 - Existing parking on street/road is dangerous.
 - Reduce congestion and ease traffic flow.
 - Stop people parking on residents' driveways.
 - Safe access needed for emergency services.
 - Car park will only be used during games so would not have an impact on residents very often.
 - Improve the safety for children training at the pitch.
 - Wider benefit to the community.
 - Club in desperate need of new training pitch.
 - Give the club more room to train.
 - Good community facility for local children which should be supported.
 - Proposal will lessen impact of the club on the local area.
 - Prior to the residential development being built there is a right of way for the club to access the field.
 - Encourage more juniors to start playing rugby at Penybanc and it will help to attract new teams and customers to the area.
 - Improve the children's sporting facilities and get them outdoors more and promote a healthy active lifestyle.

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

Appraisal

Principle of Development

The site is presently located outside of development limits, where new development is not typically supported. Albeit the site is located adjacent to development limits to the north and west and an existing recreation allocation to the east. The proposal involves the creation of a new overflow car parking area and emergency vehicular access to the pitch. The proposed development is in association with an existing community club.

As is evident to local residents nearby and members of the club, the existing car parking provision at the club is not suitable or safe given the high number of players and visitors to the club. The proposal seeks to rectify this and provide additional overflow car parking which can be used on match days or training sessions as necessary. The present position of the club does not allow for any expansion to the existing car parking. The principle of the proposed development is therefore considered to be accepted on the basis of the site location, existing constraints experienced by the club and material considerations in favour of the proposal.

Impact upon Residential Amenity and Character and Appearance of the Area

A number of objections have been received highlighting the adverse impact the proposed parking area will have on the residential estate and their quality of life.

The application submission states that the training hours for each of the different teams at the club. Given the different teams training at the site, evening training sessions occur Tuesday-Friday evenings from varying times of between 18:00-20:00. Matches for the senior teams are typically held Saturday afternoons with kick off around 14:30, whilst the junior games are held on Sunday mornings between 09:30-13:00. The car park is proposed to be restricted parking and only available for training, club matches and community events. It will remain gated/locked when not in use. It is predominantly proposed to be used on training nights Wednesday and Friday 18:00-19:30 and Sunday 09:00-13:00 approximately. As such, the proposed car parking area would not be open to the public at all times and would only be open and available to club members/visitors at specified hours. The hours proposed are not considered unsociable or to result in any significant adverse impact on the amenity of nearby residents through increased vehicular activity within the estate. In addition, a car park attendant is proposed to be present during use of the car park directing cars.

In terms of additional noise and pollution to the area, the proposal will not result in the creation of additional visitors/activity at the club. The new junior pitch created will allow for improved training for existing teams at the club and the proposed car park is to alleviate the existing parking capacity problems. The car park will result in additional vehicles traversing through the residential estate, but this is not considered to be excessive and result in adverse noise or pollution impacts to outweigh the benefits associated with the scheme. It is also worthwhile noting that there are no restrictions now stopping cars parking within the Parc Fferws estate.

Privacy concerns are also raised. However, given the location of the proposed car parking area along with the change in levels and existing boundary fences and proposed planting, it is not considered to result in loss of privacy to neighbouring properties.

Light pollution is also raised. However, no new floodlighting is proposed at the site as part of the planning application.

Based on the foregoing, the proposal is considered to comply with LDP Policy GP1 and is not considered to have a significant adverse impact on the amenity of adjacent properties to warrant refusal of the application.

Highway Impacts

The majority of the concerns raised in connection with the proposal relate to highway impacts. Objectors do not consider that the existing road through Parc Fferws is suitable or able to accommodate the proposed additional traffic. They also consider that it will result in unacceptable impact on the safety of residents.

The existing car parking provision at the Club comprises a small car park behind the clubhouse, which is accessed from the A483 Penybanc Road and provides parking for approximately 20 vehicles, ten of these are on the clubhouse grounds with the other ten parking spaces on adjacent land behind 78 and 80 Penybanc Road residential properties. Penybanc Welfare Hall also has parking behind the building for about 14 vehicles. During events these two parking areas are often shared providing a total of 34 spaces located off the public highway. As a result, cars park on the main trunk road causing congestion and obstruction as well as highway safety concerns.

The application submission acknowledges the existing car parking problems resulting in highway safety concerns in relation to parking on the Trunk Road. Given the highway safety concerns, the application was supported by a Transport Statement (TS) initially and subsequently a Road Safety Audit (RSA) and a Car Park Traffic Management Plan (CPTMP) has also been submitted. The Transport Statement includes results from a traffic movement survey and parking beat survey undertaken in February/March 2020.

Dyfed Powys Police have identified a problem with parking on the A483 Penybanc Road, in association with Penybanc RFC and have issued a letter to Penybanc RFC informing them that parking on pavements is an offence and vehicles parking on pavements will be issued with Fixed Penalty Notice. It is also worth noting the Welsh Government has proposed restrictions (TRO - prohibition of waiting at any time) on both sides of the A483 (T) Penybanc Road.

Given the nature of the proposal, the vehicles that will utilise the proposed car park already visit the club at present and the submitted survey demonstrates many of these visitors presently park on-street causing congestion and difficulties accessing Parc Fferws. The submitted TS reviews the proposal in line with Carmarthenshire Parking Standards and compares the clubs parking requirements for a typical day when numerous teams play and concludes that the provision of an additional 40 spaces would provide sufficient space to stop parking along the A483 Penybanc Road.

The Highway Authority have reviewed the submitted information in detail and advise that the provision of an additional overflow car park at the site will reduce congestion and obstructions on the main trunk road. They also note that the proposal will mitigate the impact of parking restrictions proposed by the Welsh Government for the A483(T). Without provision of the new car park, the proposed restrictions will have a greater impact (in terms of parking displacement) on surrounding residential streets.

The Welsh Government Trunk Roads agency has also been consulted on the application and requested a junction capacity assessment was undertaken of the A483 (T) Penybanc Road and Parc Fferws. The assessments show that the existing junction arrangements are suitable to cater for the predicted changes in traffic movements as a result of this site being developed with a car park. The results show that no arms experience any adverse delays or queuing vehicles with the inclusion of the additional car park traffic. The Welsh Government reviewed this information and confirmed that they would not raise a direction on the scheme.

The application has also been accompanied by a Road Safety Audit (RSA) undertaken by JB Bartlett Consulting Ltd at the request of the Highway Officer and a subsequent Car Park Traffic Management Plan (CPTMP) also provided. The RSA did not identify safety concerns associated with the proposal and the CPTMP addresses parking and safety concerns raised by objectors. The Highways Officer acknowledges that the submitted CPTMP, which will be a live plan for the club, aims to:

- Ensure adequate car parking provision for the needs of the Rugby Club.
- Enforce the use of the car park to ensure that only those eligible make use of the facilities, including preventing parking by non-site users and those not using the rugby club for community use.

- Enforce appropriate use of the car park such that it remains accessible to all eligible users.

Based on the submitted information, the Highway Authority confirm no objection to the proposal subject to the provision of specified conditions.

Comments are also made regarding the length of the existing road of Parc Fferws not being adopted. This is acknowledged and the Highway Authority are already aware of this issue. However, adoption of this road is related to the previous planning permission (reference. E/16274) for residential development at Parc Fferws. The applicant has submitted evidence to demonstrate that they have an agreed right of way onto the land. The completion and adoption of the estate road will continue to be a matter related to the developer in association with the residential scheme.

Biodiversity Impacts

A number of the responses received on the application also raise concerns with the impact on wildlife and loss of biodiversity due to the clearance works previously undertaken. The site should not have been cleared prior to submission of the planning application without an ecological survey to inform the planning consent and to suggest compensation for its loss. However, the applicant has co-operated with the Authority and numerous discussions have taken place between the applicant and Planning Ecologist to provide compensatory planting. This has been agreed to take the form of native hedge planting, tree planting and native shrub planting along with provision of bird boxes. Whilst it is acknowledged that this is not adequate compensation for the total loss of habitat, the material considerations in favour of the proposal and the limitations of the applicant, being a local community club, are taken into account and the new planting is agreed to be sufficient in this case. The application has been supported by a Proposed Tree Planting Plan showing the new planting proposed at the site and a suitably worded condition is proposed to ensure this is delivered and maintained.

Site Levels and Material Import

Due to the change in levels at the site material will be required to be imported to provide a suitable levelled surface for the additional car parking provision. Consultation has been undertaken with the Minerals Planning Officer on the planning application and revised plans have been submitted which reduces the amount of material required to be imported to the site.

A Car Park Statement has also been submitted detailing the material components which are proposed to form the car park. This comprises a typical gravel car park build up of:

- 50 mm approx. dressed stone on;
- 500mm approx. recycled stone on;
- 2500mm approx. hardcore fill.

The submitted statement confirms that the material will be provided from one source, Gavin Griffiths Group who will deliver the material to the site. The statement confirms all material will be clean and recycled. Nevertheless, conditions are proposed ensuring that no material is removed from the site without prior agreement of the LPA and that the material brought to site will be as specified and any changes will require further prior agreement with the LPA.

Other Matters

The concerns raised regarding loss of property value and increased difficulty in selling properties are not material planning considerations. The comments regarding the plans not showing the full residential estate are noted but the application site does not extend to the residential estate and it is considered that the extent of the residential estate shown on the submitted plans is sufficient for the purposes of the planning application. Comments are made regarding the planning application containing false statements and errors, however the submission contains the required information in order to adequately consider the proposals.

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, third party comments and detailed highway assessments it is concluded on balance that the proposal for additional car parking for Penybank RFC, a local community club, is acceptable.

Highway safety concerns have been reviewed in detail by the Local Highway Authority and also by Welsh Government Trunk Roads. Additional information has been provided by the applicant in relation to highway matters in the form of a Transport Statement, Road Safety Audit and Car Park Traffic Management Plan. Following review of the submitted information, alongside the proposed TRO being proposed by Welsh Government on the A483, the Highway Authority has responded and advised that the proposal is likely to reduce congestion and obstructions on the main trunk road. As a result, no objection has been issued from the Highway Authority subject to imposition of planning conditions.

In terms of the impact on residential amenity, through proposed conditions limiting the use of the additional car park area only for club/community events, it is considered that the impact would not be significant to warrant recommending refusal of the application.

As highlighted above the biodiversity impacts associated with the proposal have been carefully considered and in light of the applicant being a local community club and the mitigation proposed through significant additional planting, the Planning Ecologist has not objected to the application, subject to conditions.

The proposal is in accordance with the policies of the adopted Local Development Plan and is therefore put forward with a favourable recommendation subject to the below conditions.

Recommendation - Approval

Conditions and Reasons

Condition 1

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

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

Condition 2

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

- Site Location Plan scale 1:1000 drawing no. Ex01 received 10 August 2020;
- Proposed Site Plan scale 1:250 drawing no. PL01 Rev C received 10 August 2020;
- Proposed Car Park Location and Existing Levels Plan scale 1:500 drawing no. Ex02 received 10 August 2020;
- Existing and Proposed Site Sections A-A scale 1:150 drawing no. PL02 Rev C received 10 August 2020;
- Existing and Proposed Site Sections B-B scale 1:150 drawing no. PL03 Rev C received 10 August 2020;
- Existing and Proposed Site Sections C-C scale 1:150 drawing no. PL04 received 10 August 2020;
- Proposed Tree/Hedgerow and Bird/Bat Boxes Plan received 28 July 2020;
- Ecology Statement received 28 July 2020;
- Transport Statement prepared by LvW Highways project reference. 2020-527 received 31 March 2020;
- Car Park Statement received 10 August 2020;
- LvW Highways Response to WG Comments dated 21 April 2020 received 22 April 2020;
- LvW Highways Response to WG Comments dated 1 June 2020 received 1 June 2020;
- Road Safety Audit prepared by Julian Bartlett Consulting Ltd report no. Penybank/1150 received 2 December 2020;
- Car Park Traffic Management Plan received 2 December 2020.

Reason: To confirm the extent of the permission and in the interest of visual amenity

Condition 3

The approved Ecology Statement and Proposed Tree/Hedgerow and Bird/Bat Boxes Plan shall be fully implemented in the first available planting and seeding seasons following commencement of development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained which, within the lifetime of the approved development, are removed, die, become diseased, damaged or otherwise defective shall be replaced in the next planting season with replacement elements of similar size and specification.

Reason: To ensure that the proposed development provides mitigation for loss of trees on site and seeks to enhance the character and appearance of the site.

Condition 4

No materials generated from the site clearance and excavation stage of this development shall be removed from the site until such time that details of the location and method of disposal has been submitted to and agreed in writing by the local planning authority. Thereafter, materials shall be removed from the site in accordance with the approved details.

Reason: To ensure the appropriate disposal of any waste generated on site.

Condition 5

The material brought to site to deliver the proposed development shall only be clean material and as specified on the submitted plans Existing and Proposed Site Sections A-A (drawing no. PL02 Rev C) and the Car Park Statement (received 10 August 2020). Any change to the approved details shall require prior submission and agreement in writing from the local planning authority.

Reason: To ensure appropriate importation of suitable material.

Condition 6

The proposed additional car park area shall only be used in connection with the Penybank Rugby Football Club and only for training or events associated with the Club. The car park shall remain locked and gated and not for pedestrian or vehicular access at any other time.

Reason: In the interest of highway safety and residential amenity.

Condition 7

The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

Reason: In the interest of highway safety.

Condition 8

The car park herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, it shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking and turning facilities is to be obstructed by non-motorised vehicles

Reason: In the interest of highway safety.

Condition 9

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

Reason: In the interest of highway safety.

Condition 10

Prior to the commencement of any development on site, details of the proposed boundary treatment and access gates to the proposed car park shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with and maintained as per the approved details thereafter.

Reason: In the interest of visual and residential amenity.

Notes/Informatives

Note 1

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

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

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

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

Note 2

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

- Please see the relevant responses from Dwr Cymru/Welsh Water, The Coal Authority, The Highway Authority, and the Council's Planning Ecologist and Sustainable Urban Drainage Body and refer to the recommendations and advice contained therein.