

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Cynllunio
Adran yr Amgylchedd**

**Report of the Head of Planning
Environment Department**

16/09/2021

**I'W BENDERFYNU
FOR DECISION**

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

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

COMMITTEE	PLANNING COMMITTEE
DATE	16/09/2021
REPORT	HEAD OF PLANNING

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S/40672	REMOVAL OF CONDITIONS 4 (OCCUPANTS AND THEIR DEPENDENTS), 5 (RESTORE LAND) AND 6 (TEMPORARY 4 YEARS PERMISSION) OF S/38535 - EXPANSION OF TRAVELLER SITE GRANTED 28/02/2020 - LAND AT HILLSIDE VIEW, HENDY, LLANELLI, SA14 8JX	22-33
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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/20622
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Application Type	OUTLINE PLANNING CONSENT: SOME MATTERS RESERVED
Proposal & Location	DEVELOPMENT OF UP TO FIFTEEN HOUSES AND ASSOCIATED ACCESS ROAD - LAND AT, BRONWYDD ARMS, CARMARTHEN

Applicant(s)	GWILI DEVELOPMENTS LTD
Agent	MR MARCUS PLAW
Case Officer	HUGH TOWNS
Ward	CYNWYL ELFED
Date registered	11/02/2009

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than five objections from third parties. The application was previously reported to the Planning Committee on 23rd May 2013 where it was resolved to grant outline planning permission subject to the applicant entering into a Section 106 Agreement. There have been some difficulties with the Section 106 Agreement which have now been resolved but the matter is being reported back to the Committee for a fresh resolution due to the passage of time since the initial resolution.

Site

The application site is an irregular parcel of land located to the west of the A484 Carmarthen to Cardigan road, at Bronwydd Arms. The site is 0.82 hectares in area and is rough grazing land in the main. It has a noticeable increase in level from east to west. The village is located approximately three miles north of Carmarthen town along the A484, which is characterised by clusters of single and two storey older and more contemporary dwellings formed in a linear fashion along the A484 and the B4301 along the Cothi Valley.

The site is located behind the existing dwellings known as 'Llanarth', 'Swn Aderyn' and 'Cartrefle'. The boundaries are largely defined by a tree lined buffer to a watercourse along the northern boundary of the site, with a tree lined buffer to the west. Access to the site is from the A484 through a rough infill plot of land located between 'Llanarth' to the north and 'Trevelyan' to the south.

The site is currently crossed by an overhead electricity line in a general north-south direction cutting through the centre of the site, with a transformer at the southern boundary of the site.

Proposal

The application seeks outline planning permission for a development of up to fifteen houses on the application site. Detailed approval is sought for the access to the development and full details of the access have been provided, with all further detailed matters of scale, layout, external appearance and landscaping being reserved for future consideration. Indicative layouts and indicative house types have been submitted as part of the application for illustrative purposes only.

The application has been accompanied by a suite of plans and the following supporting documents/information:

- Foul and Surface Water Drainage Report
- Design and Access Statement
- Wildlife Survey

Planning Site History

The following relevant planning applications have previously been submitted on the application site:-

W/10702 - Detached two storey house with integral garage - Reserved Matters granted: 22 September 2005

W/05638 - Siting of two dwellings and garages for residential use - Outline planning permission: 19 February 2004

D4/24660 - Improvements to overhead electricity network - Approved: 11 May 1994

Planning Policy

In the context of the Authority's currently adopted Local Development Plan the site is within the defined development limits of Bronwydd as contained in the adopted Local Development Plan (LDP). It is allocated under Policy H1 and falls within following site reference SC18/h1 in the Plan. The site is shown as being outside development limits in the Deposit Draft Replacement LDP but that plan is yet to be tested at an Examination and formally adopted. It must therefore be afforded little weight in the determination process.

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

SP5 Housing

SP6 Affordable Housing

SP14 Protection and Enhancement of the Natural Environment

SP16 Community Facilities

GP1 Sustainability and High Quality Design

GP2 Development Limits

GP3 Planning Obligations

H1 Housing Allocations

AH1 Affordable Housing
TR3 Highways in Developments - Design Considerations
EQ4 Biodiversity
EQ5 Corridors, Networks and Features of Distinctiveness
EP1 Water Quality and Resources
EP3 Sustainable Drainage

Carmarthenshire Supplementary Planning Guidance -
Affordable Housing - June 2018
Planning Obligations - December 2014

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

Summary of Consultation Responses

Head of Transport - Recommend that any permission that the Local Planning Authority grant should be subject to the imposition of six conditions on the specification of the access and a Section 106 Agreement in relation to the provision of off-site traffic management measures.

Bronwydd Community Council – Indicated that several residents in Bronwydd had expressed concern in respect of the proposed development on the grounds that:-

- The density of the proposed development does not reflect the character of the existing village.
- The scale of the development.
- Object to any development of the site.
- Increase in traffic generation by the proposed development.
- Proposed access point is opposite an existing junction to another residential estate with risk to highway safety.
- Lack of wildlife corridor along the adjacent stream as recommended by the ecological study.
- Concern regarding the use and maintenance of the additional land within the same ownership that has not been included in the application site. If the development is carried out it will impede access to this site.
- Siting of the dwellings in accordance with the indicative layout will cause impact on the amenity of neighbouring properties, with overlooking reduction in privacy being the main effects.
- Due to the wet nature of the site surface water flow from the site will be increased, however, if the numbers are reduced there will be less likelihood of this occurring.

Local Member – County Councillor Irfon Jones has not made any prior comments on this application.

Dwr Cymru/Welsh Water – no objections to the proposed development subject to the imposition of some conditions.

Natural Resources Wales – Has no objection to the proposed development.

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

Summary of Public Representations

Neighbours/Public - The application has been publicised by the sending of seven letters of notification to the occupiers of neighbouring properties and the placing of a public notice at the site and in a local newspaper. Eight letters of representation have been received objecting to or expressing concerns with the proposed development on the following grounds:-

- Concerned that the density of the proposed development does not reflect the character of the surrounding development.
- Concern with the level of traffic that will be generated by the development and using an access point on to the A484 that will have inadequate highway safety.
- Insufficient visibility splays at the point of access to the development.
- Proposed development access is located opposite an existing access for another residential development at Bron y Glyn.
- Concern that there are insufficient facilities within Bronwydd to support the increased population as a result of the development. That there may be further likely children but no play facilities are provided.
- The site is currently very wet and there are concerns that there may be possible drainage/ flooding problems as a result of the development. Due to the evidence presented in the submitted drainage report there will be a need to carefully consider how drainage of the site is to be achieved.
- Concern with possible insufficient separation distances between the proposed and existing dwellings, thus causing the potential loss of amenity and privacy.
- Trees may be affected by the proposed development despite the submitted details indicating that they will not be affected.
- Concern that the development will cause disruption over the time of carrying it out, which may be protracted depending on the period of development.
- General disturbance from the occupiers of the dwellings in an area that is currently quiet with potential of vandalism from children.
- Disruption of the breeding of bloodstock horses by one neighbour due to the presence of the occupiers of the proposed dwellings.
- Concerns over the initial proposal for the provision of a raised plateau on the A484 at the development access point. This would be an unexpected feature in the road and together with vehicles possibly breaking suddenly, could potentially lead to accidents. Could also result in increased levels of noise at the platform as vehicles slow and accelerate thus causing potential nuisance to nearest dwellings.

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

Appraisal

Highway Safety

The means of access is to be considered as part of this application and will be directly onto the A484. Originally it was identified that there was insufficient visibility to the north of the proposed access, however, the speed limit has been reduced to 30 mph and reduced the visibility requirements. The Head of Transport has confirmed that, subject to appropriate traffic calming measures and the imposition of six highway conditions, a highways refusal cannot be sustained. The proposed traffic calming measures take the form of two Vehicle Activated/ Driver Feedback signs.

Impact on Community with Density

Several letters of objection have indicated that the density does not reflect the character of the existing surrounding development. The site density is greater than that of the surrounding developments, however, surrounding development is mainly ribboning along the frontage of the A484. However, the density of the site is not at odds with the anticipated density defined in the LDP since the site has been allocated for 15 dwelling units.

Drainage

Objectors have expressed concern that the proposed development will change the natural drainage of the site which may affect neighbouring properties. The application was supported by a drainage report that indicated that the site has to be drained to the nearest watercourse, but will need to be attenuated and discharge at no greater than Greenfield runoff. Further detail will need to be submitted at the reserved matters stage and the development will require a SAB approval..

Loss of Privacy/Amenity

The application is in outline and scale, form and design will be assessed with future detailed applications. It is not possible to ascertain at the outline stage whether any loss of privacy or amenity will result.

Loss of View and Value

This type of objection is not a material planning issue that a local authority can consider.

Loss of Hedgerows/Trees

The application is in outline and no impact on trees and hedgerows can be established at this stage. However the opportunity to preserve boundary hedges and trees can be imposed by condition so that the reserved matters application must address it.

Sewer Capacity

Welsh Water has confirmed that it has no objection to the proposal.

Ecology

Concern has been expressed in respect of the wildlife that would be disturbed by the proposed development. The survey report submitted has considered badgers, otters, reptiles and bats and the Planning Ecologist has considered the content of the submitted report. The general opinion of the Planning Ecologist (and NRW) is that providing there is a 7m exclusion zone between the stream and the development then there are no objections. This requirement can be included as a condition. In terms of bats, providing that the 7m zone is retained the surrounding trees will not be affected by the development. Any trees that are to be felled should be the subject of a bat survey, and a condition can be imposed requiring a survey if any trees are shown to be affected in any subsequent reserved matters submission.

Insufficient Facilities

Objectors consider that there are insufficient community facilities within the village to support the proposed development. However, the ability of the settlement to sustain this development would have been a matter that would have been considered when the site was considered for inclusion within the Local Development Plan.

General Disruption

Mention is made of general disruption from the development. It is inevitable that there will be some temporary disruption during the course of the development, which is the case with most developments. However, these are generally not considered to be a justification for refusal. A condition can be imposed requiring a Construction Environmental Management Plan to accompany any reserved matters application.

Community Benefits

The application due to its size will be the subject of Community Benefits in the form of contribution towards the traffic calming scheme (£16,800) that is necessary to provide an acceptable access to the development. There is scope for other limited contributions towards affordable housing, education or off-site play facilities. The final totals and combinations is subject to further discussion with the developer.

Planning Obligations

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

20% on site affordable housing

a contribution of £10,000 to off-site traffic management on the A484

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted, together with the representations received to date, it is concluded on balance that, an acceptable form of residential development can be delivered at the site, subject to specific details being reviewed and approved at Reserved Matters stage.

The site is within the recognised settlement limits of Bronwydd and allocated as a housing site as defined in the adopted Carmarthenshire Local Development Plan. The site is not allocated for housing in the Deposit Replacement LDP and is shown as being outside development limits. However, the replacement LDP has not been subject to examination and must therefore be accorded much less weight than the Adopted LDP which has been subject to examination.

Therefore, whilst some local concerns are acknowledged, it is considered that the development accords with the adopted Carmarthenshire Local Development Plan. As such the application is put forward with a recommendation for outline approval subject to the imposition of the following conditions and subject to the applicant entering into a Section 106 Agreement relating to affordable housing and off-site highway traffic management.

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

- The proposed development complies with Policies SP1, SP3, SP5, SP6, SP14, GP2, GP3, H1, AH1, TR3, EQ4 and EQ5 of the LDP in that the site is allocated for 15 units of residential accommodation in the LDP and the development of the site is considered to be acceptable and would not, on balance, have an unreasonable adverse effect on visual amenity, residential amenity, ecology, drainage or highway/pedestrian safety.

RECOMMENDATION – APPROVAL

Conditions and Reasons

Condition 1.

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

- a) the expiration of five years from the date of this outline planning permission;
- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

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

Condition 2.

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

Reason:

The application is in outline only.

Condition 3.

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

Reason:

In the interests of visual amenity.

Condition 4.

The land subject to this permission is as identified on the 1:1250 scale plan received 12 August 2010.

Reason:

For the avoidance of doubt.

Condition 5.

Any reserved matters application shall be accompanied by full cross sections, finished floor levels and means of enclosure so that the proposal can be seen in the context of the A484 road and the surrounding dwellings.

Reason:

In the interests of visual amenity.

Condition 6.

Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.0 metre carriageways, 1.8 metre footways, and 6m kerbed radii at the junction with the A484 road

Reason:

In the interest of highway safety.

Condition 7.

At reserved matters stage a scheme of parking and turning facilities within the curtilage of the site shall be submitted, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

Reason:

In the interest of highway safety.

Condition 8.

The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 10m from the edge of the A484 carriageway

Reason:

In the interests of highway safety.

Condition 9.

There shall at no time be any growth or obstruction to visibility over 0.9m above the A484 carriageway crown, over the sites whole A484 road frontage within 2.4m of the edge of the highway.

Reason:

in the interests of highway safety.

Condition 10.

Prior to the occupation of any of the dwellings hereby 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 base course levels, and with visibility splays provided.

Reason:

in the interests of highway safety.

Condition 11.

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

Reason:

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

Condition 12.

At reserved matters stage a site wide Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

The CEMP should include:

- Construction methods including details of materials, waste, contaminated land.
- General Site Management: construction programme, site clearance requirements, construction drainage, site set-up plan detailing sensitive receptors and buffers zones, relevant protection measures e.g. fencing.
- Biodiversity Management: tree and hedgerow protection, invasive species management. The CEMP shall reference all biodiversity mitigation and enhancement requirements for the construction phase.
- Soil management: topsoil strip, storage and amelioration for re-use.
- Control of Nuisances: restrictions on timing/duration/frequency of works, dust control measures, control of light spill and conservation of dark skies.

- Resource Management: fuel and chemical storage, waste management, water consumption, energy consumption.
- Traffic Management: deliveries, plant on site, wheel washing facilities.
- Pollution Prevention: demonstrate compliance with relevant Guidelines for Pollution Prevention, incident response plan, site drainage plan.
- Ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.
- Details of the persons/bodies responsible for particular activities associated with the CEMP and emergency contact details.

Reason:

To ensure the necessary protection of the environment, ecological features and habitats in line with Environment Act Wales 2016 and LDP Policies SP1 – i, SP14, GP1 – f.

Condition 13.

No development, including site clearance shall commence until a pre-construction protected species check has been carried out, the scope of which must be agreed with the Local Planning Authority Ecologist. If the survey confirms the presence of protected species, the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.

Reason:

To ensure the necessary protection of the environment, ecological features and habitats in line with Environment Act Wales 2016 and LDP Policies SP1 – i, SP14, GP1 – f.

Condition 14.

At reserved matters stage a comprehensive Landscape and Ecological Design Scheme (LEDS), must be submitted to and approved in writing by the Local Planning Authority. The LEDS scheme shall deliver detailed design proposals which effectively integrate appropriate site-specific landscape, ecological and biodiversity objectives and functions.

A 7m buffer zone must be retained between any watercourse and a proposed development, this is to ensure the integrity of the watercourse and the riparian corridor are protected. No development shall be carried out within a minimum 7 metre buffer zone from any watercourse on site. The buffer zone should restrict: storage of spoil, stored materials, plant and machinery, lighting, structures and any built development including domestic gardens or formal landscaping. The buffer zone shall be applied throughout construction and operation.

The approved LDS shall be fully implemented. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LEDS which within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

Reason:

To ensure necessary information is submitted to protect the environment, ecological features and habitats in line with Environment Act Wales 2016 and LDP Policies SP1 – i, SP14, GP1 – f and EQ5.

Condition 15.

At reserved matters stage a Landscape Ecological Management Plan (LEMP) for the provision, management and maintenance of the landscape and ecological features of the development, shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include:

- Details of the desired condition of features (present and to be created) at the site.
- Details of scheduling and timings of management activities.
- Details of short and long-term management proposals, monitoring proposals and maintenance operations of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired landscape and ecological conditions and functions.
- Details of monitoring of landscape and ecological features and required post construction monitoring.
- Details of replacement measures should any landscape or environmental features die, be removed or become seriously damaged or diseased within the lifetime of the development.
- Details of management and maintenance responsibilities, including a plan which provides a clear definition of areas subject to future private ownership and management responsibility and the areas proposed for adoption by the local authority.
- Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed between interested parties.
- Mechanisms to be used for reporting.
- The LEMP must deliver all mitigation and enhancement requirements for the operational phase as referenced in the ecological reports and associated documents.

The LEMP shall be carried out in accordance with the approved details.

Reason:

To ensure necessary information is submitted to protect the environment, ecological features and habitats in line with Environment Act Wales 2016 and LDP Policies SP1 – i, SP14, GP1 – f.

Condition 16.

Any reserved matters application(s) in relation to this outline approval, shall include submission of a Landscape Constraint Plan (LCP) to approval by the Local Planning Authority. The LCP shall define the following: -

- Stem location, canopy spread and root protection area (RPA) of all trees and groups of trees within or on the application boundary, and outside the boundary with a canopy spread which overhangs the boundary;
- Outer extent of above ground growth or canopy spread; and RPA of all other landscape elements (hedgerows and continuous woodland/ scrub/ shrub areas) within or on the application boundary.

- If the proposed development would result in potential impacts from: construction operations; changes in level; construction phase access; or installation of underground apparatus, within any RPAs defined within the LCP, the following shall also be submitted to approval: -
- Tree survey and Categorisation Report for all trees, groups of trees and other landscape elements subject to potential impacts within the RPAs.
- Arboricultural Impact Assessment (AIA) which identifies the impacts of the proposed development on all trees, groups of trees and other landscape elements. The AIA shall clearly indicate which are to be retained; which are subject to potential impacts; and which are to be removed. The AIA shall provide appropriate mitigation proposals for all trees, groups of trees and other landscape elements which are to be removed.
- Arboricultural Method Statement (AMS) which provides details, as necessary, of specific design solutions to enable effective retention of any trees, groups of trees and other landscape elements which are identified as subject to potential impacts within the AIA.
- Tree Protection Plan (TPP) which provides details of all protective measures, operations and construction exclusion zones for all trees, groups of trees and other landscape elements to be retained;

All information shall be in compliance with the recommendations of BS5837.

Reason:

To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.

Condition 17.

Prior to the determination of any application(s) for reserved matters seeking approval of 'layout' or 'landscaping': no trees with trunk/stem diameter exceeding 100 mm, measured at a height of 1.5 metres above ground level; or hedges, which are located within or on the site boundary shall be cut down, up-rooted, destroyed, topped, lopped or pruned without the prior written approval of the Local Planning Authority. Following such approval all works are to be carried out in accordance with BS3998.

Reason:

To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.

Condition 18.

Any reserved matters application shall be accompanied by a scheme for the provision of affordable housing as part of the development. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces;

- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason:

To comply with Policy AH1 and secure affordable housing need for the locality.

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).

Note 3.

This permission is subject to a Section 106 Agreement with Carmarthenshire County Council for the provision of 20% onsite affordable housing and the payment of a commuted sum of £10,000 for the provision of traffic management works on the A484.

Application No	S/40672
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Application Type	REMOVAL/VARIATION OF CONDITION(S)
Proposal & Location	REMOVAL OF CONDITIONS 4 (OCCUPANTS AND THEIR DEPENDENTS), 5 (RESTORE LAND) AND 6 (TEMPORARY 4 YEARS PERMISSION) OF S/38535 - EXPANSION OF TRAVELLER SITE GRANTED 28/02/2020 - LAND AT HILLSIDE VIEW, HENDY, LLANELLI, SA14 8JX

Applicant(s)	MR ADAM EVANS, HILLSIDE VIEW, HENDY, LLANON, SA14 8JX
Agent	MR ANDREW VAUGHAN-HARRIES, HAYSTON DEVELOPMENTS & PLANNING LTD
Case Officer	Nia Chard
Ward	Hendy
Date registered	09/06/2020

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and a call-in request by Cllr Gareth Thomas.

Site

The application site comprises an irregularly shaped parcel of land measuring 0.55 hectares in area on the south westerly flank of the B4306, which runs between Hendy and Llanon. The site occupies a countryside location, being outside of any designated settlement, and is approximately 0.9 miles to the north of the nearest settlement limit of Hendy.

The site has been developed for use as a Gypsy & Traveller site, previously granted for a temporary 4 year period, for up to 3No static caravans, 3No touring caravans, 2No day/utility rooms and associated access, parking and turning areas. Applications S/34755 and S/38535 refer.

The site is accessed off the B4306 at the southern end of the site, where the visibility splays and translocation of hedgerow required by the previous applications has now been completed. The surrounding area is of a rural character and appearance consisting of field enclosures interspersed with wooded areas. The roadway has no footways or pedestrian facilities. The site is approximately 1.7 miles from the centre of the village of Hendy and its facilities and services while the village of Llanon is located some 2.5 miles to the north along the B4306.

Proposal

This current application seeks the removal of conditions 4 (named occupants and their dependents), 5 (requirement to restore land following cessation of use) and 6 (temporary 4 year period) of planning permission S/38535. No physical development, alterations or expansion of the site is proposed as part of this application.

The removal of condition 6 of S/38535 would secure a permanent permission for the use of the land as a Gypsy & Traveller site for up to 3No pitches. The submitted Planning Statement argues that the granting of a permanent permission by the removal of condition 6 would render the requirement of condition 5 to restore the land to its former condition once the temporary period ceases unnecessary. The statement application also argues that condition 4 is unnecessary as condition 3 provides sufficient control over the occupation of the site, and that the naming of occupants is too prescriptive and inflexible, restricting the freedom of movement for Gypsies and Travellers.

The merit and implications of removing each of these conditions is considered in the following assessment.

Planning Site History

S/38535	EXPANSION OF TRAVELLER SITE S/34755 (APPROVED 20.03.2018) TO ALLOW A THIRD PITCH FOR A FAMILY MEMBER, PLUS CHANGES TO THE LANDSCAPING SCHEME AND TO ALLOW THE SITE TO HAVE A PERMANENT CONSENT AT LAND AT HILLSIDE VIEW, HENDY, LLANNON, LLANELLI, SA14 8JX	Full Granted 28/02/2020
S/34755	TWO STATIC RESIDENTIAL CARAVANS TOGETHER WITH THE ERECTION OF A DAY/UTILITY ROOM, TWO TOURING CARAVANS AND A STABLE BLOCK (PARTLY RETROSPECTIVE)	Full Granted 20/03/2018
S/33962	CLOSURE OF EXISTING ROAD ENTRANCE AND OPENING A NEW ROAD ENTRANCE	Full Granted 15/08/2016

Planning Policy

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

H7 Gypsy and Traveller Sites

TR3 Highways in Developments – Design Considerations

EQ4 Biodiversity

EQ7 Development within the Caeau Mynydd Mawr SPG Area

EP3 Sustainable Drainage

Carmarthenshire Supplementary Planning Guidance

National Planning Policy and Guidance is provided in Planning Policy Wales (PPW) Edition 11, February 2021 and associated Technical Advice Notes (TANs) published by Welsh Government.

National policy advice relating to Gypsy and Traveller Site is contained within Welsh Government Circular 005/2018.

National guidance on the Use of Planning Conditions for Development Management is contained within Welsh Government Circular 016/2014.

Summary of Consultation Responses

Forward Planning – In consideration of the temporary planning consent, its initial inclusion was justified as the council was looking to start the process of allocating and developing a site. As this is yet to take place the use of a further temporary permission should be removed. In consideration of Condition number of 4 of planning permission S/38535, and the imposition of a personal planning permission, paragraph 5.68 and 5.83 of WG circular 016/2014 applies, alongside the content of paragraph 59 of WG Circular 005/2018. It is our view that in isolation, the development would not accord with the criteria set out within criteria (a) of LDP policy H7 in that it is a sporadic development in the open countryside. Therefore in taking a balanced view, the personal permission should remain.

Head of Transportation & Highways - No observations received to date.

Housing – The draft revised LDP identifies two potential sites for Gypsy and Traveller accommodation. The site at Penybryn would accommodate 4 new pitches, but would best cater for natural growth from the families already on the site. The site at Penyfan, Trostre is identified in the draft LDP as being able to accommodate up to 20 pitches, however, this may be limited to 15 pitches due to management issues. It is also uncertain as to whether this site can be delivered due to land ownership issues – the section of site within the public ownership would be sufficient to accommodate 7 pitches. There is therefore a fair degree of uncertainty around developing a new site for gypsies in the area.

Confirms that a recent Gypsy Traveller Accommodation Assessment dated November 2019 which identifies a current unmet need of 19 pitches, increasing to 23 pitches in 5 years and 31 pitches by 2033, has been produced using Welsh Government (WG) methodology and has been submitted to WG for approval.

Landscape Officer – No objection subject to the imposition of a planning condition to ensure protection of the existing hedge line.

Llanedi Community Council – No observations received to date.

Local Member(s) - Councillor Gareth Thomas has requested the application be determined at planning committee given the concern of local residents over the further development of the site.

Planning Ecology – If the occupation of the site is made permanent, the development would be liable for a contribution of £1,043 per mobile home (that covers any external domestic structures as well) within 3 months of the date of the decision towards the Caeau Mynydd Mawr SAC, in line with the LDP Policy EQ7 and the Caeau Mynydd Mawr SPG. Should an application for a further mobile dwelling or a business related structure be made, then further contributions would be requested.

Planning Enforcement – The works on the hedgerow translocation and required visibility splays have been completed

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 site entrance. 3No objections were received and the matters raised are summarised as follows:

- Suggests that the removal of condition is sought to sell the site, extend the site or have other named persons on site – any of which would be against the original planning application and good will shown.
- The development will never stop if time extensions are continually granted.
- There is no justification for the alterations to the conditions sought.
- There are alternative sites available as identified by the Local Authority, therefore the temporary permission should stand and the granting of permanent permission should be resisted.
- Any permanent use would give rise to concerns over possible future expansion of the site, which would further erode the site's rural character.
- Concern over the development's potential to affect or interrupt access to an existing farm.
- The site has already been extended quite extensively and provides enough space for several dwellings, rather than the one extra dwelling which was given consent.

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

Appraisal

This application seeks the removal of several conditions attached to planning permission S/38535 to permit the permanent siting of a three pitch Gypsy/Traveller site in the absence of available pitches on a public site.

Part 3 of the Housing (Wales) Act 2014 sets out the Local Authority's responsibilities in relation to Gypsies and Travellers. Section 101 of Part 3 requires the Local Authority to carry out an assessment of the accommodation needs of Gypsies and Traveller residing in or resorting to its area, known as a Gypsy and Traveller Accommodation Assessment (GTAA) – the findings of which must then be submitted to the Welsh Government (WG) for approval. Section 103 of the Act places a legal duty upon Local Authorities to exercise its powers in section 56 of the Mobile Homes (Wales) Act 2013 so far as necessary to ensure that the accommodation need identified by the approved GTAA is met.

The Council's 2016 GTAA (approved in 2017) identifies that there would be a need for 30 additional pitches for the Local Development Plan period to 2021. The updated 2019 GTAA (pending WG approval) identifies a current unmet need for 19 pitches, a likely unmet need of 23 pitches by 2024, increasing to 31 pitches by 2033.

Circular 005/2018: Planning for Gypsy, Traveller and Showpeople Sites (June 2018) requires that the Authority make provision for Gypsy and Traveller sites in the County through site allocation in development plans to ensure that the identified requirements can be met. The authority also needs to demonstrate that the sites are suitable and deliverable in identified timescales. This requirement is mirrored in Planning Policy Wales.

At present, there is one allocated site within the Llanelli area, which is currently oversubscribed. The Council's Forward Planning and Housing teams have worked towards identifying and allocating new Gypsy & Traveller sites as part of the revised LDP to fulfil its duties to make provision for such sites. Whilst two additional locations for Gypsy Traveller pitches, which would have the capacity to cater for the unmet need and anticipated growth, are being pursued as part of the revised LDP, there is currently no certainty on the deliverability of those sites given site and ownership constraints, and no set timeframe for their delivery. Consequently, there is a current and future unmet need for Gypsy Traveller pitches within the County.

Principle of development

Applications for private sites shall be considered in line with relevant local and national planning policies, affording the appropriate weight to the unmet need and the Authority's obligations under the Housing Act.

Both of the previous permissions granted in respect of the development of this site accepted the use of the site as a Gypsy and Traveller site having regard to the criteria of LDP Policy H7, but considered it appropriate to grant only temporary permission on the basis that the authority was to identify and designate a new site within the revised LDP to meet the identified need.

Given the uncertainty surrounding the deliverability of the proposed sites to accommodate the unmet need identified by the GTAA, and no timeframe within which they will become available to serve as an alternative to this site in the foreseeable future, there is an argument given for permitting this site on a permanent basis. In addition, paragraph 60 of Circular 005/2018 states that providing for any unmet need would warrant permanent permissions to be granted, noting that it should be rare to grant temporary permissions. Consequently, given the apparent lack of alternative accommodation to both at the present time and in the future, combined with the Authority's obligation to provide for the identified need, it is not considered that re-imposing the temporary restriction on the use of this site would be appropriate in this instance, and so the removal of condition 6 is considered acceptable. The Council's Forward Planning Officer has offered no objection to its removal.

With respect to condition 5 which requires the removal of all caravans, structures, materials and equipment brought on to the site in connection with the temporary use, it is not considered that the condition would remain necessary if the permission were to be made permanent. Given the intention to remove the temporary restriction on the use, it is considered that the requirements of condition 5 of permission S/38535 can also be removed.

This application also seeks removal of condition 4 of planning permission S/38535, which names the individuals permitted to occupy the site. The reason given for the condition is to

“restrict the occupancy of the site”. The applicant considers that the requirements of condition 4 are too prescriptive and inflexible because people die, move on to other sites for work, children become adults and get married and some become divorced or separated, and the requirement of the condition to refer to the LPA every time there is a change in circumstance is cumbersome and acts against freedom of movement for Gypsies and Travellers. They contend that the condition is not necessary as adequate control over the site’s occupation is achieved by condition 3 of the permission.

The Council’s Forward Planning Officer has objected to the removal of condition 4, referring to paragraph 5.68 and 5.83 of circular 016/2014, and paragraph 59 of Circular 005/2018, providing the view that, in isolation, the development would not accord with the criteria set out within criteria (a) of LDP policy H7 in that it is a sporadic development in the open countryside, and consider that the personal permission should remain.

Paragraph 59 of the Circular 005/2018 highlights that personal permissions are exceptions and rarely outweigh more general planning considerations, elaborating that the availability (or lack of) alternative accommodation for the applicants and their personal circumstances can be material considerations, provided a condition is attached to make it personal to the occupiers. Paragraph 5.83 of Circular 016/2014 highlights that conditions restricting occupancy to a particular occupier or class of occupier should only be used when sound planning grounds can be demonstrated, and where the alternative would normally be refusal of permission.

A personal permission may have been necessary if this development failed to comply with the relevant development plan policies and permission was to be provided on a temporary basis to accommodate the accepted personal circumstances of the occupiers whilst alternative accommodation was brought forward. However, there have been no personal circumstances advanced nor considered in association with this site which would require the use to be continued on a personal basis.

The identified shortfall in Gypsy & Traveller accommodation is a material consideration irrespective of the identity of this site’s occupiers and the previous decisions for the site assessed that the development complies with the requirements of LDP Policy H7, including criterion (a), confirming that *“the location of the site performs well against the objectives of the first criterion of Policy H7 of the LDP in that it is reasonably accessible to the village of Hendy and its range of services and facilities”*. Circular 005/2018 highlights that local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services from Gypsy & Traveller sites located within the countryside and that over rigid application of national or development plan policies that seek a reduction in car borne travel in order to effectively block proposals for any Gypsy and Traveller Site in a countryside location would be inappropriate. Given there has been no material change in the relevant circumstances surrounding the accessibility of the site to local services and facilities since the previous assessment, it would be unreasonable to conclude that the proposal does not now comply with criterion (a) of policy H7.

In light of the above, it is not considered that there are personal circumstances which would warrant the granting of a personal permission as there are no sound planning grounds for doing so where the alternative would be to refuse permission. Having regard to the requirements of LDP Policy H7, the use of the application site as a Gypsy & Traveller site is considered acceptable irrespective of the identity of the occupiers and so it is considered appropriate to remove the restriction imposed by condition 4 of application S/38535. Appropriate control over the occupation of the site can be maintained by condition 3 of the permission.

Impact upon character and appearance of the area

The previously applications assessed that the impact of the proposal on the character and appearance of the area would be acceptable. It is considered pertinent to revisit this on the basis that the development is intended to become a permanent feature.

The development site lies in an area of countryside outside the development limits of any recognised settlement defined in the LDP, and Circular 005/2018 provides that gypsy sites in the countryside, away from existing settlements, can be considered suitable if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries.

Gypsy & Traveller sites by their very nature tend to be visually obtrusive, particularly given the appearance of the mobile homes and associated structures against a verdant backdrop of a countryside location. Although the site fronts the public highway and is visible in a local context, it is not located within an area subject to any landscape or environmental designations. The development benefits from roadside screening provided by the translocated hedgerow combined with supplementary planting which would assist in minimising the visual impact of the development and, despite the site becoming a permanent feature, it is not considered that the proposal would unacceptably challenge the objectives of the Circular or policies H7 and GP1 of the LDP. The Council's Landscape Officer has offered no objection to the proposal, subject to the imposition of a planning condition to protect the existing hedge line.

Other Matters

Concerns have been raised that the removal of conditions would allow for the site to be sold, extended or have other persons residing on site. In response, and for reasons stated in the foregoing assessment, it is not considered necessary to make the permission personal to any particular individuals. Providing the site is occupied by persons who meet with the definition of Gypsies and Travellers, and otherwise in accordance with all other planning conditions, then there would be no harm arising from the occupation of the site, which is required to meet the identified need for Gypsy and Traveller accommodation within the County.

In response to the concerns that the development will never stop if time extensions are continually granted and that permanent use will give rise to concerns over further possible expansion, permanent permission is sought by this application, rather than a further extension of time. For the reasons stated above, it is considered that a permanent permission is appropriate in this instance. The suitability of any further development of the site would need to be assessed on its own merits.

No concerns have been raised by the Council's Highways Planning Liaison Officer on matters of highway safety.

Planning Obligations

The site is located within the Caeau Mynydd Mawr SPG area whereby developments that will potentially impact upon the Caeau Mynydd Mawr Special Area of Conservation are required to make a financial contribution to mitigate for the loss of Marsh Fritillary butterfly habitat that will occur as a result of the development, in accordance with LDP Policy EQ7 and the Caeau Mynydd Mawr SAC SPG.

The previous permissions relating to this site were approved on a temporary basis with a requirement to return the land to its previous condition on the expiry of the temporary period.

As a result, it was previously considered unreasonable to request this contribution, and that the requisite contribution would be sought if the permission were made permanent.

As this proposal seeks permanent permission, the Caeau Mynydd Mawr SAC contribution is required and will be secured via a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended).

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 WCFG Act). The decision takes into account the ways of working set out at section 5 of the WCFG 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 WCFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the removal of conditions 4, 5 and 6 of planning permission S/38535 is acceptable.

The removal of the temporary permission will allow for the site to be occupied on a permanent basis, which is considered appropriate given the identified shortfall in Gypsy & Traveller accommodation within the County and the obligation of the authority to provide for the identified need. This affords significant weight in favour of the proposal. Although there are Gypsy & Traveller sites intended to be brought forward as part of the revised LDP, there is a degree of uncertainty as to the deliverability of these sites and no timeframe for their delivery. As such, there is no alternative site available to accommodate the applicant and their family, nor will there be for the foreseeable future. With the intention to grant permanent permission for the site, the requirements of condition 5 would be unnecessary.

No relevant personal circumstances are advanced by the applicant as part of this application which would require the permission to remain personal to the applicant and their family members where the permission would otherwise be refused. The site has been assessed against LDP Policy H7 and is considered to satisfy the policy requirements, including its proximity to, and accessibility of, local services and facilities.

With regards to the planning balance, it is acknowledged that there would be a degree of visual impact arising from the development, now on a permanent basis, which would count against the development. However, as the site benefits from boundary vegetation screening, is not within an area of landscape or environmental designation and has a limited scale, it is not considered that the visual impact would be significant. Conversely, the scheme provides Gypsy & Traveller accommodation where there is an identified need and shortfall, and the development is considered to comply with the requirements of LDP Policy H7. This carries notable weight in favour of the development. Overall, it is considered that that minor visual impact arising from the development would be outweighed by the benefits of the development in assisting the authority to meet its obligations with regards to Gypsy & Traveller accommodation.

In light of the foregoing, and having regard to the aforementioned policies of the Carmarthenshire Local Development Plan and Welsh Government Circulars 016/2014 and 005/2018, it is considered that the proposal is acceptable and is therefore presented with a recommendation for approval.

RECOMMENDATION – APPROVAL

Conditions & Reasons

Condition 1.

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

Reasons:

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

Condition 2.

The development shall be carried out in accordance with the details shown on the following schedule of plans and documents:-

- 1:5000 scale Expanded Location Plan (drawing no. 01), dated 01/04/2020;
- 1:2500 and 1:1250 scale Location and Block Plan (drawing 02), dated 01/04/2020;
- Site Plan (drawing no. 03d) scale 1:200 received 1 February 2019;
- Floor Plan and Elevations of Portacabin Utility / Day Room Consented Temporary Portacabin Scheme (drawing no. 03), dated 01/04/2020;
- Proposed Floor Plan and Elevations of New Permanent Dayrooms (drawing no. 04), dated 01/04/2020;
- Existing & Proposed Context Sections - South-West to North-East (drawing no. 05d) scale 1:100 received 1 February 2019;
- Consented Scheme - Site Plan (drawing no. 06c) scale 1:200 received 1 February 2019;
- Consented Scheme - Context Section (drawing no. 07c) scale 1:200 received 1 February 2019;
- Floor Plan and Elevations of Portacabin Utility/Day Room Consented Scheme (drawing no. 08c) received 1 February 2019;
- Consented Scheme - Floor Plan and Elevations of Store / Stable Block (drawing no. 09c) scale 1:100 received 1 February 2019;
- Consented Scheme - Septic Tank Installation Details (drawing no. 10c) scale 1:20 received 1 February 2019;
- Consented Scheme Plan Showing Overall Visibility Splays to Both Side of Entrance (drawing no. 11c) scale 1:500 received 1 February 2019;
- Consented Scheme Plan Showing Area Affected by Improved Visibility/Translocation Works to LHS on Plan of Entrance (drawing no. 12c) scale 1:100 received 1 February 2019;
- Consented Scheme Plan Showing Area Affected by Improved Visibility/Translocation Works to RHS on Plan of Entrance (drawing no. 13c) scale 1:100 received 1 February 2019;
- Consented Scheme - Expanded Plan Showing Area Affected by Improved Visibility/Translocation Works to LHS on Plan of Entrance Sheets 1-5 (drawing nos. 14c, 15c, 16c, 17c & 18c) received 1 February 2019;

- Consented Scheme - Expanded Plan Showing Area Affected by Improved Visibility/Translocation Works to RHS on Plan of Entrance Sheets 1-6 (drawing nos. 19c, 20c, 21c, 22c, 23c & 24c) received 1 February 2019;
- Landscape Plan (drawing no. ARW1052:01 Rev B) received 8 March 2019;
- Landscape Plan Implementation and Maintenance details received 8 March 2019;
- Planning Statement & Justification Report rev.A prepared by Hayston Developments & Planning Ltd, dated 02/06/2020.

Reasons:

To ensure that only the approved works are carried out.

Condition 3.

The site shall not be occupied by any persons other than gypsies and travellers as defined in Section 108 of the Housing (Wales) Act 2014 and Paragraph 2 of Circular 005/2018 – ‘Planning for Gypsy, Traveller and Showpeople Sites’ or any subsequent replacement circular/document.

Reasons:

To restrict the occupancy of the site.

Condition 4.

No more than three static and three touring caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site at any time.

Reasons:

To confirm the extent of the permission.

Condition 5.

No commercial or business activities shall take place on the land, including the storage of materials, nor shall any vehicle over 3.5 tonnes be stationed, parked or stored on the site.

Reasons:

In the interests of visual amenity and safeguard the amenity of adjacent occupiers and land users.

Condition 6.

The development must be carried out in strict accordance with Landscape Plan Drawing No - ARW1052:01 RevB.

Reasons:

In the interest of visual amenity and to safeguard/retain existing landscape features.

Condition 7.

The existing hedge/hedgerow(s) to the entire north-eastern site boundary with the public highway shall be retained, and maintained at a minimum height of 2.0 metres. Prior to any management works to the hereby defined hedge/hedgerow(s), which would result in laying or coppicing to a height below the hereby specified minimum height, a method statement for the

works shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be implemented in accordance with the approved method statement. Any part of the hereby defined hedge/hedgerow(s), which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the existing hedge/hedgerow(s) in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification.

Reasons:

In the interest of visual amenity and to safeguard/retain existing landscape features.

Condition 8.

Any access gates shall be set back a minimum distance of 12.0 metres from the highway boundary, and shall open inwards into the site only.

Reasons:

In the interests of highway safety.

Condition 9.

The visibility splay of 2.4 metres by 160 metres shall be retained in perpetuity.

Reasons:

In the interests of highway safety.

Condition 10.

The parking spaces and layout shown on the plans herewith approved 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.

Reasons:

In the interests of highway safety.

Condition 11.

The site access road shall be hard-surfaced for a minimum distance of 10 metres behind the nearside B4306 carriageway edge. The hard surfacing shall be fully carried out within 4 months of the date of this planning permission and retained thereafter in perpetuity.

Reasons:

In the interests of highway safety.

Notes / Informatives

Note 1.

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

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

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

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

Note 2.

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

Note 3.

This development is subject to a S.106 agreement to secure a financial contribution towards offsetting the impact of the development on the Caeau Mynydd Mawr Special Area of Conservation, as required by LDP Policy EQ7 and the Caeau Mynydd Mawr SAC SPG.

Application No	PL/00103
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Application Type	Full Planning Permission
Proposal & Location	RETENTION OF EXISTING RETAIL SPACE AND 1 RESIDENTIAL FLAT AND CREATION OF 4 ADDITIONAL RESIDENTIAL SELF CONTAINED FLATS WITHIN FOOTPRINT OF RESIDENTIAL SEMI DETACHED BUNGALOW. PROPOSALS TO INCLUDE CONSTRUCTION OF ROOF DORMER EXTENSION TO FACILITATE DEVELOPMENT AT 45 PENLLWYNRHODYN ROAD, LLWYNHENDY, LLANELLI, SA14 9NN

Applicant(s)	Mr N GRIFFITHS
Agent	N/A
Case Officer	NIA CHARD
Ward	BYNEA
Date registered	10/9/2019

Reason for Committee

This application is being reported to the Planning Committee as it has received more than two objections from third parties as well as a request from Cllr Deryk Cundy that the application be determined by the Planning Committee on the grounds referred to in the report below.

Site

The application site comprises an existing bungalow, in part residential and part retail use. Two separate access to the site presently exist on the west boundary from Penllwynrhodyn Road, one for residential dwelling and a separate access and parking area for the retail use. A grassed amenity area is located to the rear of the building.

The surrounding area is predominantly residential in character with residential properties and amenity garden areas bordering the site to its north, south and west. The site is located within development limits in defined in the Adopted Local Development Plan (LDP). A public right of way, footpath 36/110, runs from the north eastern corner of the site along part of the northern boundary. The site falls within the Coal Authority Development Low Risk Area and the site is not identified to be at risk of flooding from Natural Resources Wales (NRW) Development Advice Maps (DAM).

Proposal

The pre-application submission proposes retention of the existing retail space alongside construction of 4 new self-contained flats to replace the existing residential unit at the property. It is also proposed to retain the flat above the retail store, the proposed dormers will facilitate the change of this flat from a 1 bedroom to a 2 bedroom flat (unit 3).

The proposals involve construction of roof dormer windows to create required space at first floor. The submitted floor plans and elevations show minimal changes are proposed to the retail shop floor area and associated store and WC. The remainder of the ground floor is proposed to be converted to two no. 2 bedroomed flats. Unit 1 is proposed to be accessed from a new lobby area created at the front of the building utilising the existing access to the residential dwelling, whilst unit 2 is proposed to be accessed from an existing access point to the rear of the dwelling. At first floor, three further 2-bedroom flats are proposed. Units 4 and 5 to be accessed via the front lobby and unit 3 via a separate access alongside the existing retail unit.

To allow for the creation of the larger accommodation at first floor three separate dormer windows are proposed on the front elevation and one long continuous dormer extension on the rear elevation. The proposed site plan shows that the two vehicular accesses will be retained as existing, one for the retail unit and the other to provide the main access and parking area for the residential units. 11 car parking spaces are shown in total, with two for each flat and one visitor space. To the rear, flats 1 and 2 have their own dedicated amenity areas with flats 3, 4 and 5 benefiting from a communal amenity area to the rear of the retail compound. A bike store and an area for bins are proposed to the north of the building.

Planning Site History

D5/13124 - CHANGE OF USE FROM SHOP (CLASS A1) TO HOT FOOD TAKEAWAY (CLASS A3) Full Granted 22/10/1990

D5/4804 – CHANGE OF USE FROM SHOP TO GROUND FLOOR AND FIRST FLOOR FLATS – Full Granted 05/06/1980

D5/1410 – EXTENSION TO DWELLING HOUSE TO FORM GROCERY STORE
Full Granted 05/04/1976

Planning Policy

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

GP1 Sustainability and High Quality Design

GP2 Development Limits

GPS Planning Obligations

H2 Housing within Development Limits

AH1 Affordable Housing

TR3 Highways in Developments – Design Considerations

EQ4 Biodiversity

EP2 Pollution

EP3 Sustainable Drainage

REC2 Open Space Provision and New Developments

Carmarthenshire Supplementary Planning Guidance

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

Summary of Consultation Responses

Head of Transportation & Highways - No objection subject to conditions

Head of Public Protection - No objection

Llanelli Rural Council – objection unless

- The development proposal does not represent an over development of the property and site.
- There is sufficient space to accommodate the additional off road parking of vehicles (based on two vehicles per flat).
- There is sufficient garden/amenity space to service the number of flats.
- There is no detrimental impact on highway safety
- There is no detrimental impact on the residential amenity and privacy of neighbouring dwellings
- Surface water from any increase in the roof area of the building or impermeable surfaces within the curtilage of the site is prevented from entering the public sewer

Local Member(s) - Councillor Deryk Cundy has requested that the application be presented to the Planning Committee in order to consider overlooking and Highway consideration with the increased traffic of the new builds at the bottom of Caeger.

Dwr Cymru/Welsh Water – No objection subject to a condition

Head of Education – Financial contribution not required

SAB (Sustainable Drainage Approval Body) – SAB approval is required

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.

10 representations were received from 8 different households with, 9 objecting and 1 commenting on the revised design. The matters raised are summarised as follows:

- Flats are not in keeping with the area
- The proposed development sits on a tight corner making access to the site difficult for lorries etc
- The development will exasperate the low water pressure within the area
- Development will devalue existing properties
- The proposal will directly overlook neighbouring gardens
- The noise from the proposed development (possibly 20 people) will have a negative impact on welfare and mental health

- Concerns over traffic controls and speed safety
- Increased traffic using narrow twisting roads to access the proposed development will be of detriment to the estate
- The proposed 11 parking spaces on such a narrow road and tight bend poses a risk to pedestrians
- The dormer windows will overlook three families
- The proposed development will put increased pressure on already overstretched services
- There will be increased noise pollution
- Additional residents in an already densely populated area will undoubtedly result in an increase in crime and vandalism
- The proposed development will cause congestion and high traffic volumes on dangerous of the road, reducing visibility even further
- There appears to be inadequate storage for refuse waste which is only collected every other week, leading to smell and the increase of vermin/rats
- Concerns raised over who will reside in the properties
- The Bryn already have developments by Persimmon and Barratts, another development is not required and is an overdevelopment of the area
- Request for the side window in unit 5 to be obscure glazed for privacy reasons.

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

Appraisal

Principle of development

The site is located within the Development Limits within the Adopted Local Development Plan (LDP) and is situated within an established residential area within Llanelli. As such, the principle of a suitably designed residential scheme at the site is accepted subject to compliance with wider LDP policies.

Design and Layout

The proposed design and appearance of the building has been scaled back from the original scheme following 26 letters of objection. This is considered an improvement and seeks to utilise the existing building with provision of dormer extensions to accommodate larger floorspace at first floor. On this basis, it could be considered that the proposal seeks to conform with the existing building. It is noted that the area in which the site is located is mixed in character and design with fairly large, detached properties immediately to the south and semi-detached/terraced properties with mono-pitched roofs and bungalows to the east. It is proposed that the existing brickwork will be retained to the side of the building and front and rear at ground floor, with the new dormer areas to be rendered white. The windows to the front of the residential units are largely uniform in design, albeit unit 5 seems to have two larger triple pane windows whereas the windows for units 3 and 4 are slightly different sizes. To the rear windows of same design are proposed seeking to provide consistency.

The appearance of the proposed development is not considered to be significantly out of keeping with the character of the area given the mixed design surrounding the site. The proposal is therefore considered to comply with the principal design criteria of Policy GP1 of the LDP.

The internal layout of each flat seeks to provide open plan kitchen/living area for the majority of the residential units with two bedrooms and bathroom. The flats range in size from 58sq m to 74sq m. When viewed against the space standards consulted upon by Welsh Government late Summer 2020, the standard for 2-bedroom flats was 58-65sq m.

Residential Amenity and Privacy Considerations

In terms of the impact on the amenity of the adjoining residential property and neighbouring properties, the main issues to consider include noise and loss of privacy.

Dormer windows are proposed on both the front and rear elevation of the existing single storey building in order to facilitate three flats at first floor level. The application property is located over 12m from the boundary fence with the neighbouring properties to the rear (at Pant Bryn Isaf) and approximately 30m wall to wall. It is therefore considered that there is sufficient distance between the dwellings at Pant Bryn Isaf and the proposed dormers as not to result in unacceptable impact in terms of overlooking. To the front of the proposal is the parking area and a carriageway, there is therefore no overlooking concern to the front of the building.

It has been requested that the first floor window on the north elevation be obscure glazed, for privacy reasons. This window is existing and currently facilitates a bedroom. It is not considered that the proposed living room will result in any additional overlooking and therefore it would be unreasonable to require this window to be obscured.

Concerns have been raised regarding the potential noise created from the proposed development. Whilst it is acknowledged that there will be some additional noise, this is not considered to be significantly detrimental to amenity of the neighbouring residents to refuse the application. Concerns regarding noise and disturbance during the construction process are acknowledged but this is not a material planning consideration.

It is therefore considered that the development would not have an unacceptable impact upon the living conditions of nearby residents and as such the proposal is considered to comply with Policy GP1 of the LDP.

Highway Impacts

A number of objections received refer to the inadequacy of the existing road network, existing problems concerning dangerous driving and traffic incidents and consider that the proposal and the parking arrangements for the property will heighten the problems.

Policy GP1(h) requires developments to be served by an appropriate access and that development would not give rise to any parking or highway safety concerns both on the site or within the locality. This is further expanded upon by Policy TR3 which specifies the need for development to incorporate highway design into proposals.

In terms of access, the proposals involve the creation widened access to provide a 5.5m carriageway to facilitate the parking spaces for the proposal. The access proposals have been reviewed by the Council's Highways Officer who has confirmed that the access proposals are acceptable to serve the development. Full details of the proposed highways conditions are to follow. With regards car parking, the proposal complies with the Council's Parking Standards in that each 2 bedroom property is to be provided with two parking spaces, an additional 1 no. visitor space has also been incorporated into the layout design. This level of car parking is considered sufficient to meet the needs of the development and in addition, the site is located

within close proximity to public transport provision via the nearby bus stops. The existing parking to the convenience store has been retained.

The comments raised by third parties in relation to the development generating additional traffic and highway safety given the narrow roads are acknowledged however, the site is located within a residential area and within easy walking distance of the nearby school, playground, public house and bus stops and thus the vehicular trips generally associated with such services and facilities would not be generated by this development. The Council's Highways Officer has reviewed the application and has raised no objection in terms of traffic generation and has raised no objections. Whilst the concerns of residents and the local council are acknowledged, it is not considered that an additional units in this location would result in a significant increase in traffic generation that would warrant a refusal of the application on highway safety grounds. The application is therefore considered to comply with policies GP1 and TR3 of the LDP.

Other Matters

Objections are raised regarding pressure on existing services, given the scale and nature of the application proposal, additional pressure on resources is not considered to be significant or warrant refusal of the application. No objections have been raised from local service providers including Welsh Water Dwr Cymru in response to the application.

The Authority's Sustainable Drainage Approval Body (SAB) has confirmed that the developer will need to apply for SAB approval for the development.

The issues raised by the respondents in respect of depreciation of property value are not material in the consideration of the application.

Planning Obligations

Policy AH1 (Affordable Housing) of the adopted Local Development Plan and the Affordable Housing SPG outlines the requirements for a Section 106 Agreement. The property is located within the Llanelli Submarket Area and Llanelli Community Area. The applicant is aware of the need for a Section 106 agreement if planning permission is granted.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The decision takes into account the ways of working set out at section 5 of the WCFG 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 WCFG Act.

Conclusion

After careful consideration of the scheme as submitted, alongside the responses from statutory consultees and numerous comments received from third parties, it is concluded on balance that the proposed development complies with the relevant LDP policies and would not adversely affect the character of the area, prejudice highway safety or significantly harm neighbours' amenities. Subject to observation from Ecology on balancing the planning matters

of the proposal the scheme is considered acceptable and is recommended for approval subject to the following conditions and completion of the Section 106.

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 accordance with the following approved plans and documents:-

- Proposed bike storage facility Scale 1:50 @ A3, Drawing no LW390-05 Received 15 June 2021
- Existing Site and Location Plan 1:250, 1:1250 @ A3, Drawing no LW390-04B Received 15 June 2021
- Proposed Site and Location Plan 1:250, 1:1250 @ A3, Drawing no LW390-03 D Received 15 June 2021
- Proposed layout and proposed elevation drawings 1:100, 1:250 @ A1 Drawing no LW390-02 F Received June 2021
- Existing Layout and existing elevation drawing 1:100 @ A2 Drawing no LW390-01 A Received 15 June 2021

Reason:

To confirm the extent of the permission and in the interest of visual amenity.

Condition 3.

Prior to commencement of development, the vehicular access serving the flats shall be widened to provide a carriageway width of at least 5.0 metres for the initial 10.0 metres taken from the nearside edge of the Caegar carriageway

Reason:

In the interests of highways safety.

Condition 4.

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

Reason:

In the interests of highways safety.

Condition 5.

There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole Caegar Road (W5831) frontage within 2.4 metres of the near edge of the carriageway.

Reason:

In the interests of highways safety.

Condition 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.

Reason:

In the interests of highways safety.

Condition 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.

Reason:

In the interests of highways safety.

Condition 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.

Reason:

In the interests of highways safety.

Condition 9.

No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains

Reason:

In the interests of highways safety.

Condition 10.

Prior to the commencement of any part of the development herewith approved, a 1.8- metre-wide footway shall be provided along the entire site frontage (shop element) with the Caegar Road (W5831), to link with existing footways to the south and north of the site. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.

Reason:

In the interests of highways safety.

Condition 11.

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 to be implemented in full and as agreed.

Reason:

In the interests of highways safety.

Condition 12.

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason:

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

Condition 13.

Prior to the commencement of the development full details of the bin store shall be submitted for the written approval of the Local Planning Authority and thereafter to be implemented in full and as agreed and retained in perpetuity.

Reason:

In the interest of 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 the Council's Sustainable Drainage Approval Body (SAB), Highway Authority and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.

Note 3.

This development is subject to a S.106 agreement to secure a financial contribution towards Affordable housing as required by LDP Policy AH1 and the Affordable Housing SPG.

Application No	PL/00588
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Application Type	Reserved Matters
Proposal & Location	RESERVED MATTERS APPLICATION FOR 13 NO DWELLINGS AND ASSOCIATED DISCHARGE OF CONDITIONS 4, 5, 6, 7, 8, 9, 10, 11 AND 12 PURSUANT TO OUTLINE PERMISSION (REF: S/36817) - LAND AT THE FORMER NRW NATIONAL LABORATORY SERVICE, PEN Y FAI LANE, FURNACE, LLANELLI, SA15 4EL

Applicant(s)	Clews Homes
Agent	Geraint John Planning Ltd – Luke Grattarola
Case Officer	Zoe James
Ward	Hengoed
Date registered	20/10/2020

Reason for Committee

This application was originally reported to the Planning Committee following the receipt of more than five objections from third parties.

As members will be aware the application was originally reported to Planning Committee and considered at the meeting on 27 May 2021. At this meeting it was agreed to defer determination of the application until a Committee site visit could be carried out. Since this time, revised plans have been submitted seeking to address the concerns raised and discussed by members of the Planning Committee at that meeting. The agent arranged a site meeting to discuss with neighbours affected by the change and Local Councillors. Full re-consultation has also been carried out on the revised plans submitted. The application is now being reported back to Planning Committee for members to review the revised plans.

The site layout has been revised by repositioning the proposed SUDS attenuation basin and Plot 1. The agent advises that this is a response to overcome comments made at Committee on the overbearingness of Plot 1 to the dwelling to the south.

The revised plans also include the provision of further planting in the western gardens of plots 2 and 3 in order to assist with mitigating concerns of impact on privacy to the dwelling to the south-west.

Site

The application site comprises the former Natural Resources Wales (NRW) laboratory situated off Pen Y Fai Lane, Llanelli. The site is roughly rectangular in shape and measures 0.83ha. The site benefits from existing access from Pen Y Fai Lane in the south eastern corner. It is understood that the site has been vacant since closed by NRW and their laboratory functions moved. The site includes a main building and ancillary buildings, previously used for offices and laboratory facilities, garages and stores, situated in the northern part of the site. Centrally within the site is a landscaped area with trees and planting leading to areas of car parking to the south. A number of mature trees are located within the site and on the boundaries. The site slopes from north to south.

The site is bordered by Pen Y Fai Lane to the east, which provides the main vehicular access to the site from the south eastern corner. A secondary gated access is presently located at the north eastern corner of the site. A stone wall runs along between the site and Pen Y Fai Lane, which acts as a retaining wall at the central part of the site. To the north, west and south the site is bordered by residential properties and their respective gardens. Properties to the south and west fronting Cwmbach Road are situated at a lower level to the application site. The area surrounding the site is predominantly low-density residential development, the majority of nearby properties being detached dwellings and having large curtilages.

The site is not allocated within the Local Development Plan for any purpose but is located within the defined development limits of Llanelli. The site is identified in the forthcoming Revised Local Development Plan (2018-33) for residential development.

Proposal

The application is a reserved matters submission following outline planning permission granted in March 2019 for demolition of existing building, residential development including access, drainage, car parking, open space, landscaping and associated engineering operations. The application includes details of all reserved matters, access, appearance, landscaping, layout and scale.

The application also seeks to discharge a number of pre-commencement conditions attached to the outline planning permission, including ecological design scheme, scheme for eradication of invasive species, assessment of trees for bat potential, construction environmental plan, surface water drainage scheme and landscaping scheme.

The proposal involves residential development of 13 dwellings, comprising two-, three- and four-bedroom properties. The properties are a mix of detached and terraced properties. The property mix proposed is as follows:

- 2 x two-bedroom terraced dwellings;
- 1 x three-bedroom terraced dwelling;
- 8 x four-bedroom detached dwellings;
- 2 x five-bedroom detached dwellings.

Two of the dwellings will be affordable units alongside an additional financial contribution to meet the requirements of LDP Policy AH1 and comply with the obligations of the legal agreement attached to the outline planning permission.

The original submission involved 15 dwellings. However, following detailed review of the site alongside the topography and requirement for retaining structures this has been amended and the scheme reduced to 13 dwellings.

The layout of the development seeks to work with the existing topography of the site and existing landscape features, the majority of the existing mature trees within the site and on the site boundaries are to be retained. Vehicular access to the development is to be achieved via the existing vehicular access at the south eastern corner of the site from Pen Y Fai Lane. An area of Public Open Space (POS) is now proposed to be situated in the southwestern corner of the application site, with Plot 1 repositioned. The POS will include grassed and landscaped areas as well as a footpath to enable pedestrian movement through the site.

Plot 1 has been repositioned in the latest revised plans submitted and is now situated directly to the left of the access road to the site. The dwelling will face the site access in southerly direction, with dedicated rear garden to the north. The existing large mature tree located fairly centrally within the site is to be retained as part of the development and will be within the garden area for plot 1. Plot 1 is now proposed to be House Type E, a 5-bedroom detached dwelling. A detached garage is proposed to the west of the dwelling with car parking to the front of this. Plot 1 has been repositioned following concerns raised during the course of the application and discussed by Members of Planning Committee at the meeting in May.

Plots 2-3 are proposed to be accessed off a shared drive in the south western part of the site. Plots 4-10 and 12-13 are then accessed off the main internal estate road with plot 11 via a separate private drive along the north of the site adjacent to plot 10. Plot 11 faces north with a rear south elevation, with plots 2-9 fronting the internal access road in an easterly direction with rear gardens towards the western site boundary. Plot 10 faces west and plots 1, 12 and 13 face south. All dwellings have a dedicated driveway and car parking to the front or side of the property. Some dwellings have garages located to the side and some have integral garages. Private garden areas are provided to the rear of the houses.

The houses will have traditional pitched roof designs some with front gables and elevations consisting of a mix of render, facing brick and stone cills with black rainwater goods and black or grey windows and doors and slate roof. The design seeks to reflect the character of the area while at the same time creating visual interest and variation in the street scene. Interest and variation are also provided through the different house types proposed and arrangement of properties, garages and parking particularly to the east of the site.

Parking within the scheme is provided via a mix of solutions that include garaging facilities and side and front driveways. The change in levels across the site will require retaining wall features in areas of the development while some houses located in the western part of the site have raised rear decking areas with steps leading down to gardens.

The reserved matters submission has been accompanied by a detailed landscaping scheme which provides for the retention of the existing landscape features within the site and along the site's perimeter as far as possible as well as the implementation of new planting frameworks within the central area of open space and the site's eastern boundary. New wildflower and woodland meadow planting are proposed throughout the POS and the south eastern boundary. Robust planting treatments including new tree planting are also provided throughout the development and boundary treatment measures are to consist of a mix of new hedgerows, brick walling and timber fencing.

A number of revisions to the plans have been submitted during the course of the determination of the application making amendments to the design of a number of plots, notably plots 1-3 in terms of re-positioning of plot 1 and removal of rear balconies from these dwellings.

The submission has been accompanied by a range of supporting information which includes the following:

- Planning Statement;
- Ecological Design Scheme
- Tree Survey
- Drainage Strategy
- Japanese Knotweed Management Plan
- Construction Environmental Management Plan
- Vehicular Trip Comparison Report
- Site Investigation Report
- Landscape Management Plan

The site is located within Zone A as defined under Technical Advice Note (TAN) 15: Development and Flood Risk (2004) whereby it is considered to be at little or no risk of fluvial or tidal flooding. The submitted Drainage Strategy report sets out a strategy to dispose of surface water run-off from the development using soakaways, rain gardens, permeable paving and infiltration basins. The strategy sets out all highway run off and run off from certain plots, comprising an area of 1,770sq m impermeable catchment will be discharged to the infiltration basin. This is proposed to be situated in the POS and will comprise storage volume of 95m³ volume. The report confirms this is sufficient to accommodate the 1 in 30-year return period, with an additional 30m³ storage volume provided in the POS to accommodate the 1 in 100 year +30% return period. All other run off from rooftops or areas of hardstanding will discharge to domestic soakaways, permeable paving or individual rain gardens. The report advises a SAB pre-application will be submitted to determine the detailed drainage design. It is proposed that all SuDS components serving multiple properties will be adopted and maintained by Carmarthenshire SAB team.

In terms of foul drainage, the initial investigations propose constructing a new adoptable foul sewer to serve the dwellings and connect to the existing DCWW combined sewer within the site.

The Ecological Design Scheme submitted with the application seeks to prevent there being any long-term impacts on protected species populations present at the site and within the surrounding area. It seeks to provide sufficient information to discharge condition 6 attached to the outline planning permission and follows previous surveys and reports submitted as part of the outline application. The report confirms the updated survey supports findings of the earlier surveys suggesting individual or small numbers of bats. As such, proposed compensation and mitigation measures are proposed in detail within the scheme including bat boxes on dwellings and trees and void space within garages and utilisation of bat friendly lighting.

The Japanese Knotweed Management Plan submitted confirms a site survey has been undertaken and one stem of Japanese knotweed was visible. The plan identifies a strategy for treating the knotweed and treatment schedule. Submission of the plan seeks to discharge condition 7 attached to the outline permission. However, the report does not detail any investigations into Montbretia, also referred in condition 7.

The Vehicular Comparison Report submitted reviews the vehicular trips associated with the previous use as a laboratory and offices and the proposed for residential use, including the timing of such trips. The report concludes that the site could be developed for up to 26 privately owned houses without exceeding the traffic flows associated with the existing use of the site. The Construction Environment Management Plan accompanies the submission in order to discharge condition 9. It sets out the management measures to be utilised to minimise environmental impact from the construction phase of the development.

The Site Investigation Report submitted with the application demonstrates how potential risks identified from contaminated land can be addressed. The investigation and report have demonstrated that elevated concentrations of arsenic, beryllium, lead and low-level PAH's have been found during the supplementary sampling exercise. However, the report proposes remedial options to address this.

A Tree Survey, Arboricultural Report alongside a detailed Soft Landscape Scheme has also accompanied the submission, as required by condition 12 of the outline planning permission. This demonstrates the existing trees located on site alongside, trees required to be removed to facilitate the development and new landscape features proposed. A Landscape Management Plan has also been provided detailing the future management and maintenance arrangements at the site.

Planning Site History

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

S/36817 - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND PROPOSED RESIDENTIAL DEVELOPMENT, INCLUDING ACCESS, DRAINAGE, CAR PARKING, OPEN SPACE, LANDSCAPING AND ASSOCIATED ENGINEERING OPERATIONS
Outline Granted 28/03/2019

LL/02698 - TEMPORARY SITING OF ONE PORTAKABIN FOR OFFICE USE. THE UNIT WILL BE USED TO RE-HOUSE STAFF DURING BUILDING REFURBISHMENT AND PENDING RE-LOCATION TO ANOTHER SITE
Full Granted - Committee 12/12/2002

LL/01618 - DEMOLITION OF EXISTING SINGLE STOREY PREFABRICATED BUILDINGS. EXTENSION OF PENYFAI HOUSE AND SPATIAL RE-ALLOCATION OF OFFICES/LABORATORIES, INCLUDING RE-LOCATION OF SIX EXISTING FUME CUPBOARDS
Full Granted - Committee 07/08/2002

S/00069 - TEMPORARY SITING OF TWO PORTAKABINS FOR OFFICE/LABORATORY USE FOR A PERIOD OF 18 MONTHS
Full Granted - Committee 28/06/1996

D5/16127 - EXTENSION TO THE FRONT OF EXISTING OFFICES
Full Granted - Committee 24/02/1994

D5/14600 - EXTENSION REQUESTED FOR FURTHER 18 MONTHS ON CONTRACT FOR TEMP. SITING OF TWO PORTACABINS
Full Granted - Committee 31/03/1994

Planning Policy

In the context of the Authority's current Development Plan the site is located within the Development Limits of Llanelli and is not allocated for any use in the adopted Local Development Plan (LDP). Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces

SP2 Climate Change

SP3 Sustainable Distribution- Settlement Framework

SP5 Housing

SP6 Affordable Housing

SP9 Transportation

SP14 Protection and Enhancement of the Natural Environment

SP16 Community Facilities

SP17 Infrastructure

GP1 Sustainability and High Quality Design

GP2 Development Limits

GP3 Planning Obligations

GP4 Infrastructure and New Development

H1 Housing Allocations

AH1 Affordable Housing

TR2 Location of Development- Transport Considerations

TR3 Highways in Developments- Design Considerations

EQ4 Biodiversity

EQ5 Corridors, Networks and Features of Distinctiveness

EQ6 Special Landscape Areas

EP1 Water Quality and Resources

EP2 Pollution

EP3 Sustainable Drainage

REC2 Open Space Provision and New Developments

Carmarthenshire Supplementary Planning Guidance

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

Summary of Consultation Responses

Head of Transportation & Highways – Formal response received confirming no objection subject to conditions.

Public Rights of Way Officer - No observations to make on the application.

Valuations Manager - No observations received to date.

Llanelli Rural Council – Object to the application on the basis it will have a detrimental impact on highway safety, the lane is unsuitable to carry out highway improvements and has poor visibility. In addition, the land and surrounding area suffers from localised flood water running off nearby fields. The proposal will exacerbate the situation during heavy periods of rainfall.

Local Member(s) - Councillor Penny Edwards raised queries regarding the site meeting held, Committee site visit and concerns from local neighbours.

Local Member(s) - Councillor Susan Phillips raised concerns regarding the short notice of the site meeting arranged and that a further site meeting should be held.

Natural Resources Wales – confirm information submitted is sufficient to discharge conditions 6, 8 and 9 of outline permission ref. S/36817.

Dwr Cymru/Welsh Water - confirm information submitted is sufficient to discharge conditions 10 and 11 of outline permission ref. S/36817.

Coal Authority – site does not fall in Development High Risk Area so standing advice applies.

Sustainable Drainage Approval Body (SAB) – SAB team have confirmed that a SuDS application reference. SAB/00141 is currently being reviewed. If SAB approval is granted then the SAB team would recommend discharge condition 10 of outline permission ref. S/36817.

Environmental Health Contaminated Land – submitted information is satisfactory subject to condition. Further information has been provided on ground gases and EHO has confirmed this is satisfactory.

Environmental Health Noise – recommend conditions imposed in relation to construction hours.

Environmental Health Air Quality – recommend that the developer gives consideration to the provision of electric charging points where parking is provided, or at the very least infrastructure that would allow electric vehicle charging points to be installed at some point in the future.

Public Health – advise submitted Construction Environmental Management Plan detailing dust mitigation measures is suitable and should be adhered to throughout construction process. Upon completion of construction period condition 9 can be fully discharged.

Forward Planning – highlights LDP policies of relevance and requirement to comply with Memorandum of Understanding (MoU).

Housing Service – confirm ward of Hengoed is an area of high housing need and sets out standards for new affordable units.

Landscape Officer – revised response received following additional/amended information submitted which confirms proposals generally demonstrate the potential for delivery of relevant policy objectives, subject to appropriate planning conditions.

Planning Ecology – confirm the submitted information is satisfactory in relation to ecological matters associated with conditions 6, 8, 9 and 12 of outline permission S/36817. However, further information is required in relation to Montbretia as per condition 7. This is required in order to discharge this condition.

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, site notice and publication in the local newspaper.

Following submission of the amended plans and revised layout repositioning plot 1 and the SuDS attenuation basin, full re-consultation was carried out.

Numerous representations were originally received, 20 objecting (many neighbours submitted more than one written objection) and 1 commenting. The matters raised in responses are summarised as follows:

- 15 units is overdevelopment for the site and at odds with character and appearance of surrounding area.
- Number of dwellings has increased, can this increase further at a later date? Is the impact on drainage, flooding and water pressure considered?
- Intensification of development will have adverse impact on highway safety.
- Concerns regarding overlooking and loss of privacy.
- Development would have an adverse impact on amenity of surrounding residents.
- Change in levels result in development being overbearing on adjacent properties.
- Proposal would be visible due to raised level.
- Highway safety concerns
- Lane only has single access route not suitable for additional traffic proposed by the development.
- Increase in traffic will compromise safety and result in additional accidents.
- Vehicle trip comparison report does not consider how narrow Pen Y Fai Lane is.
- Increase in traffic will result in noise and air quality pollution.
- Density of surrounding properties has not been considered.
- 2-bedroom properties are not in keeping with type of existing development in the area.
- Concern over surface water run off into properties to south of site at lower level. Existing problem with surface water run off now during period of heavy rain.
- Concern over position of infiltration basin and position.
- Construction period will be very disrupting for neighbouring properties.
- Piled foundations proposed are inappropriate given proximity to neighbouring properties and noise/damage caused by this.
- Previous use of the site was only during daytime, residential use will result in permanent increase in noise levels throughout day and night and change character of the area.
- Will TPOs be implemented on trees shown to remain?
- Original tree survey identified many surrounding trees to be diseased and dangerous and to be removed, current application suggests preservation of trees.
- Who will be responsible for maintenance of trees on proposed footpath?
- Trees should not be removed just to provide a view from the site.
- Impact on ground water following loss of trees on site.
- There is existing wildlife and habitat on site which will be damaged as part of construction.
- Bats utilising existing building on site.
- Over 350 new homes were built at Stradey Park, is further development needed?

- Residential units to the north at Maengwyn and Brynmefys are under occupied and would be better to redevelop with services already in place.
- Land ownership concern and encroachment over right of way.
- Site is located in area of high Council tax.
- Development will affect value of nearby homes.
- Site could be used for more appropriate accommodation such as retirement complex.
- Planning permission refused for one new dwelling due to highway safety concerns, proposal would be 15 times worse.
- Adjacent properties should be visited to appreciate impact on them.
- Unhappy that were not directly consulted upon amended plans.
- If a footpath were proposed along the proposed development and Penyfai Lane this would be a great benefit to the community.

Following the re-consultation, a further 18 responses were received. Many of which are on a preprepared objection sheet, with a number of bullet point objections. The additional matters raised are summarised as follows:

- Amended plans do not address concerns raised regarding loss of privacy and overbearance on many existing properties.
- Site meeting held at short notice and without informing all neighbours.
- Change only relates to plot 1.
- Accepts repositioning of plot 1 and SuDS feature is a significant change which addressed one of objections.
- Concerns regarding access arrangements to no. 17 Pen Y Fai Lane being blocked.
- Tree report appears to identify trees not within site and under separate ownership.
- Concerns that the proposed terraced properties would be harmful to character and appearance of surrounding area.
- Residents on Cwmbach Lane suffer from pollution from traffic lights set up as part of Stradey development and only sanctuary is rear garden which will be lost of application is approved.
- Previous concerns and objections submitted to be reiterated.
- Site visit request by Members of Planning Committee reiterated.

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

Appraisal

Principle of development

Planning permission for residential development has previously been granted via outline application reference. S/36817 in March 2019. As such, the principle of residential development has been previously accepted at the site. In terms of the current application, this seeks to gain consent for reserved matters relating to access, appearance, layout, landscaping and scale at the site. In policy terms, the site is located within the defined development limits identified within the Adopted Local Development Plan (LDP), where new residential development is supported subject to compliance with other relevant policies. Furthermore, the site is proposed to be allocated for residential development in the Deposit version of the Revised Local Development Plan (2018-2033).

Impact upon character and appearance of the area

Concerns have been raised by neighbouring properties in relation to the development being out of keeping and of greater density than surrounding development. It is acknowledged that the majority of properties at Pen Y Fai Lane and adjoining the site are large, detached dwellings with substantial curtilages. The proposed development involves 13 new dwellings, all to be detached with the exception of three terraced townhouse style properties. The majority of the dwellings are 4/5 bedroom properties, of varying style and design. All proposed dwellings benefit from their own private driveway and rear garden.

In terms of the density of the proposed development, the outline permission granted did not specify total number of units. The submission showed an indicative layout of 10 dwellings, albeit this was not fixed at this stage. The current proposal for 13 dwellings at the site, represents a proposed density of 15.6 dwellings per hectare. Although the current LDP does not specify densities, the supporting text to LDP Policy H1 refers to an initial standard of 30 dwellings per hectare being applied to growth areas. The submission refers to the lower density being proposed to reflect the constraints of the site and also the existing character of Pen Y Fai Lane. In addition, the number of dwellings has been reduced slightly since submission of the reserved matters application, from 15 to 13 taking account of the site's topography.

The site layout has been designed taking account of the topography and where possible to retain existing trees on site. An area of Public Open Space is proposed within the site to seek to retain a natural area of greenspace for the benefits of residents and help the proposed development respond to the site's setting within Pen Y Fai Lane. The submitted landscape scheme seeks to help reduce the impact of development on the existing landscape and the retention of the majority of mature trees along the site boundary help to retain the established character and setting of the existing site. Following submission of the latest revised plans, additional landscaping is proposed along the western boundaries of plots 2 and 3.

The proposed development comprises a mix of 6 different housetypes to introduce variety within the site. The use of consistent materials, including render, brick and stone cills with black rainwater goods, grey/black UPVC windows and doors and slate roof, will help to ensure a harmonised and coherent development. Boundaries between gardens is largely proposed to be 1.8metre close boarded fence. Further detail is requested via condition on boundary treatment measures between the site and adjacent properties to the west.

Landscape and Visual Impact

Numerous concerns have been raised regarding loss of trees on the site and the impact this will have on the character of the area and also privacy implications. The submitted Tree Survey identifies that the majority of trees on the perimeter of the site will be retained with those identified to be in a poor condition to be removed. Otherwise, a mixed group within the centre of the site are required to be removed and one on the western boundary of the site to deliver the proposed development, along with poor quality trees. Only three category B (moderate quality) trees are proposed to be removed, with the others identified for removal being category C (low quality) or category U (unsuitable for retention). The majority of existing trees along the site boundaries are to be retained and help to retain the wooded character of the site.

The Authority's Landscape Officer has reviewed the scheme and been in detailed discussion with the agent on the impact on existing trees and also the proposed landscape scheme. Further details have been provided in connection to root protection area of retained trees to

ensure no adverse impact. The Landscape Officer is satisfied that the submitted information is sufficient to enable approval, compliance, monitoring and enforcement.

Privacy Impacts

Many objections received relate to loss of privacy arising as a result of the proposed development. Given the position and topography of the site and surrounding area, the site occupies an elevated position to the majority of existing dwellings situated along its south and western boundaries. Plot 1 was originally situated on the southern boundary. However, following previous presentation to Planning Committee the position of plot 1 has been relocated with the proposed SUDS attenuation basin. Plot 1 is now situated directly to the left of the internal access road to the site, with the attenuation basin and area of open space in the southwestern corner of the site. The revised position of Plot 1 no longer raises any concerns in relation to privacy or overbearance to neighbouring properties and the position of the open space in this corner is considered to provide an improved relationship between the proposed development and neighbouring properties to the south west.

The site orientation and layout results in plots 2-9 backing onto the western boundary. Plots 2 and 3 are situated in closest proximity to properties fronting Cwmbach Road. The rear garden of plot 2 measures from between 7.8 to 15 metres in length, with the separation distance between plot 2 and 2A Cwmbach Road measuring 34.8metres. However, it is acknowledged due to land levels, the proposed dwelling will be situated at higher level than no. 2A Cwmbach Road. As shown on the proposed site layout and landscape plan, a number of existing trees alongside new planting are proposed to help to screen the development. A Boundary Treatment Plan has also been provided as part of the revised submission which shows that a 1.8m high timber fence will be provided along the rear boundaries of plots 2-9. In addition, the proposed garden for plot 2 also slopes down at a gradient of 1:12 resulting in the boundary with no. 2A being some 5 metres lower than the finished floor level of the dwelling. The original plans submitted for plots 1, 2 and 3 included balconies on the rear elevation of the dwellings facing to the west. However, following review of the plans and in discussion with the agent, these dwellings have all been amended with the balconies removed from the plans and Juliette balconies now proposed. As a result, the potential for overlooking is reduced by the removal of the physical balconies with floorspace protruding from the rear elevation.

Plots 4-9 follow a similar position and siting along the western boundary, albeit it is acknowledged there are a number of existing trees on the site boundary and outside the site which are proposed to be retained and provide suitable screening between the proposed new dwellings and existing properties along Cwmbach Road. It is also acknowledged these properties benefit from deeper gardens resulting in a greater separation distance to the new dwellings.

The layout and arrangement of the revised scheme, subject to conditions on vegetation and boundary treatment measures is not considered to result in a significant loss of privacy to neighbouring properties to warrant refusal of the application.

Biodiversity Impacts

Condition 6 of the outline planning permission required submission of an Ecological Design Scheme for the site in line with the preliminary surveys submitted at that time. An Ecological Design Scheme prepared by Wildwood Ecology has accompanied the application. The scheme seeks to prevent there being any long-term impacts on protected species populations present at the site and within the surrounding area. The report includes proposed compensation and

mitigation measures for any bats within the site. Natural Resources Wales have reviewed and advised that the information is sufficient to discharge condition 6 of the permission. Planning Ecology are satisfied with the information submitted in relation to condition 6.

Bat surveys were also required to be undertaken on all trees identified to be removed, under condition 8 of the outline planning permission. A Tree Survey/Assessment was provided with the application which identified all trees to be removed had potential roosting features of low potential. On the basis of this information, NRW confirmed no objection to the discharge of condition 8. Planning Ecology are also satisfied with the information submitted in relation to condition 8.

A detailed scheme for the eradication of Invasive Species (Japanese Knotweed and Montbretia) has also been submitted as required by condition 7 of the outline permission. During the site survey one stem of Japanese knotweed was visible. The submitted plan identifies a strategy for treating the knotweed and treatment schedule. Planning Ecology are satisfied with the information provided in relation to Japanese Knotweed. However, insufficient details are provided in relation to Montbretia, as such the condition will remain.

In summary, there are not considered to be ecological concerns which prevent determination of the reserved matters permission at this time, subject to conditions.

Highway Impacts

Highway safety concerns have been raised in many of the objections received, predominantly relating to access to the site via Pen Y Fai Lane being unsuitable to accommodate additional traffic associated with the proposed development. The application, as per the outline application, has been supported by submission of a Vehicle Trip Comparison Report to demonstrate the vehicle movements associated with the previous use of the site for an office/laboratory and the relevant movements associated with the proposed development. The report demonstrates that the site could be redeveloped for up to 26 dwellings without exceeding the traffic flows associated with the existing use of the site. On this basis, the Authority acknowledges that the extant use at the site results in a more intensive use of the existing access and Pen Y Fai Lane and the development proposal is considered in this context.

The existing access is proposed to be utilised albeit this is proposed to be widened to an adoptable standard. In addition, a proposed 1.8metre wide footway is proposed from the edge of Pen Y Fai Lane into the application site.

The submitted reports and engineers' plans have been reviewed by the Highway Authority who have also undertaken discussions directly with the developers and are satisfied with the proposed access and internal site access road arrangements. Highways have informally advised the submitted information is sufficient, with formal comments to be received shortly.

In addition, it is worthwhile noting the outline application is subject to a £45,000 contribution toward the improvement of pedestrian links outside of the red line application site.

Flood Risk Implications

A further common ground of objection is belief that the development will exacerbate existing surface water flooding problems within the area. The application site is located within Flood Zone A on Natural Resources Wales Development Advice Maps. However, many neighbours have raised concerns regarding existing surface water run off problems experienced at present

following heavy rainfall. Given the topography of the site and surrounding area there are concerns the residential redevelopment of the site will increase existing problems.

The application has been supported by a Drainage Strategy for the proposed development. This confirms that an acceptable SuDS strategy can be implemented at the site to deliver the betterment required as part of the Memorandum of Understanding (MoU) and also to improve the existing situation. Conditions 10 and 11 of the outline planning permission relate to drainage at the site and require further details to be submitted. Dwr Cymru Welsh Water have confirmed the submitted information is sufficient for them to recommend discharge of conditions 10 and 11 of the outline permission. The Authority's SAB team has advised that there is currently a live SAB application (ref. SAB/00141) for the proposed surface water scheme at the site. The team have advised that should the SAB application be approved, they would recommend discharging condition 10 of the outline planning permission. On this basis, condition 10 of the outline planning permission remains outstanding at present and the applicant will be required to achieve full SAB approval prior to commencement of development. Therefore, the concerns regarding surface water drainage at the site are considered to be adequately covered by condition attached to the outline planning permission and separate legislation.

Other Matters

In terms of the other matters raised the site notices for the planning application were displayed on 12 November 2020. The notices were displayed slightly later than the neighbour notification letters were issued due to impact of Covid-19 on undertaking site visits. Nevertheless, full statutory consultation period has been provided and further re-consultation has also taken place with neighbours following revised plans submitted. Comments in relation to redevelopment of nearby Brynmefys estate instead or redevelopment of the subject site for alternative residential accommodation are not relevant and the LPA must consider the proposal which has been submitted.

The issues raised by the respondents in respect of the Council Tax banding and depreciation of property value are not material in the consideration of the application.

Concern has been raised by a neighbour in relation to the right of way over land within the site access. This was raised during the determination of the outline planning application and permission granted. As the site location plan and site area are as per the outline permission this is considered satisfactory to proceed with the reserved matters application. Nevertheless, the matter has been passed onto the Authority's legal department for review now as part of the determination of the current reserved matters application.

Concerns were raised regarding the site meeting held at the site in July. The meeting was not arranged by the Local Planning Authority and was requested and arranged by the planning agent, Geraint John Planning. The two closest neighbours to plot 1 along with Local Members were invited to attend the meeting also to discuss the amendments to the site layout. The meeting held at the site was not in place of the Committee site visit requested by members of the Planning Committee at the meeting in May. The revised scheme has now been formally submitted to the planning department and full re-consultation has been carried out on the revised plans. As such, the application is now reported back to Planning Committee for members to review the revised plans and consider the application further.

Planning Obligations

The outline planning application was subject to contributions in relation to Highway improvements, affordable housing provision, on site public open space and education contribution.

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 amended, together with the representations received to date, it is concluded on balance that, the proposal represents an acceptable form of residential development that will respect the site and the general character and appearance of the surrounding area. The site has outline planning permission for residential development, is located within development limits and its development complies with the key policy and sustainability objectives of the Authority's adopted Local Development Plan and National Planning Policy.

The general scale, design and layout of the scheme seeks to respect the character and appearance of the surrounding area whilst working within the site's constraints. The development will provide a range and choice of housing types and sizes that will be well related to the existing services and facilities in Furnace and the wider Llanelli areas. As secured under the outline permission, the development will also secure a range of community benefits in the local area which will include the provision of affordable dwellings and an area of open space as well as contribution to existing education facilities and local highway improvements. Highways have confirmed that the submitted information is sufficient subject to planning conditions. DCWW are satisfied with the drainage details, in line with new separate drainage requirements the Authority's SAB team are in the process of reviewing the surface water drainage scheme at the site, under the SAB approval process. Further information has been provided to demonstrate compliance with the Memorandum of Understanding. It is therefore considered that there are no sustained highway, amenity or utility service objections to the development.

RECOMMENDATION – APPROVAL

Conditions and Reasons

Condition 1.

The development shall be commenced before whichever is the later of:-

- a) the expiration of five years from the date of the outline planning permission to which this development relates

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

Reason:

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

Condition 2.

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

- Site Location Plan scale 1:1250 (drawing no. 2495-00(03)100) received 10 February 2021;
- Proposed Site Plan scale 1:500 (drawing no. 2495 - 00(03) 101 Rev P) received 27 July 2021;
- Proposed Access Arrangement Plan scale 1:200 (drawing no. 2495 - 550 Rev /) received 28 April 2021;
- Engineering Appraisal (drawing no. 2495 - 505 Rev F) received 27 July 2021;
- Site Sections A-A and B-B (drawing no. 2495 - 506 Rev C) received 27 July 2021;
- Site Sections C-C and E-E (drawing no. 2495 - 507 Rev D) received 27 July 2021;
- Site Sections F-F,G-G and H-H (drawing no. 2495 - 508 Rev D) received 27 July 2021;
- Drainage Strategy Plan (drawing no. 2495-500 Rev E) received 27 July 2021;
- House Type B – Proposed Floor Plans (drawing no. 2495 - 03(03) 201 Rev B) received 10 February 2021;
- House Type B – Proposed Elevations (drawing no. 2495 - 03(03) 301 Rev B) received 10 February 2021;
- House Type B – Perspectives (drawing no. 2495 - 03(03) 501 Rev B) received 10 February 2021;
- House Type C – Plot 1 Proposed Floor Plans (drawing no. 2495 - 04(03) 207 Rev D) received 8 March 2021;
- House Type C – Plot 1 Proposed Elevations (drawing no. 2495 - 04(03) 306 Rev D) received 8 March 2021;
- House Type C – Plot 1 Perspectives (drawing no. 2495 - 04(03) 506 Rev D) received 8 March 2021;
- House Type D – Plot 2 - Proposed Floor Plans (drawing no. 2495 - 09(03) 210 Rev A) received 5 May 2021;
- House Type D – Plot 2 - Proposed Elevations (drawing no. 2495 - 05(03) 309 Rev B) received 5 May 2021;
- House Type D – Plot 2 - Perspectives (drawing no. 2495 - 05(03) 508 Rev A) received 5 May 2021;
- House Type D – Plot 3 - Proposed Floor Plans (drawing no. 2495 - 08(03) 209 Rev A) received 5 May 2021;
- House Type D – Plot 3 - Proposed Elevations (drawing no. 2495 - 08(03) 308 Rev B) received 5 May 2021;
- House Type D – Plot 3 - Perspectives (drawing no. 2495 – 08(03) 507 Rev A) received 5 May 2021;
- House Type E –Floor Plans (drawing no. 2495 – 10(03) 211 Rev A) received 3 March 2021;
- House Type E – Elevations (drawing no. 2495 – 10(03) 310 Rev A) received 3 March 2021;

- House Type E – Perspectives (drawing no. 2495 – 10(03) 509 Rev A) received 3 March 2021;
- House Type E – Plot 1 – Floor Plans (drawing no. 2495 – 01(03) 213) received 27 July 2021;
- House Type E – Plot 1 – Elevations (drawing no. 2495 – 01(03) 311) received 27 July 2021;
- House Type 421 & 532 – Proposed Floor Plans (drawing no. 2495 - 01(03) 205 Rev B) received 10 February 2021;
- House Type 421 & 532 – Proposed Elevations (drawing no. 2495 - 01(03) 305 Rev A) received 10 February 2021;
- House Type 421 & 532 – Perspectives (drawing no. 2495 - 01(03) 505 Rev A) received 10 February 2021;
- Tree Constraints Plan scale 1:750 received 27 July 2021;
- Tree Removals Plan scale 1:750 received 27 July 2021;
- Retained Trees Plan scale 1:750 received 27 July 2021;
- Tree Protection Plan scale 1:750 received 27 July 2021;
- Tree Shade Plan scale 1:750 received 27 July 2021;
- Planning Statement prepared by Geraint John Planning received 7 October 2020;
- Tree Survey prepared by RTAC Trees Revision 2 received 17 May 2021;
- Drainage Strategy Note – Revision A (reference. 2495-DSN01) prepared by Spring Design received 27 July 2021;
- Detailed Soft Landscape Plan pages 1-4 (drawing no. edp6530_d001k) prepared by the Environmental Dimension Partnership received 27 July 2021;
- Ecological Design Scheme (reference. WWE20176 Rev A) prepared by Wildflower Ecology received 3 March 2021;
- Japanese Knotweed Management Plan (reference. TT60096) prepared by Taylor Total Weed Control received 7 October 2020;
- Construction Environmental Management Plan (reference. JP/CEMP/ /REV 0) prepared by Clew Homes received 7 October 2020;
- Vehicular Trip Comparison Report prepared by Cotswold Transport Planning received 30 October 2020;
- Site Investigation Report (reference. 12674/GNS/20/SI) prepared by Integral Geotechnique received 11 November 2020;
- Letter on Ground Gases reference. 1267/HP prepared by Integral Geotechnique received 5 May 2021;
- Landscape Management Plan (reference. edp6530_r001g) prepared by The Environmental Dimension Partnership Ltd received 27 July 2021.

Reason:

In the interest of clarity of the approved plans and visual amenity.

Condition 3.

During the demolition and construction phases, no works or demolition or construction shall take place other than within the hours of 7:30 – 18:00 Monday – Friday, 08:00 – 14:00 on Saturdays and not at all on Sundays, Bank or Public Holidays. As the proposed development is situated in a predominantly residential area, it is recommended to minimise noise disturbance that the construction work be undertaken in compliance with BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Noise and Vibration and/or its subsequent amendments.

Reason:

In the interest of residential amenity.

Condition 4.

The development shall be carried out in strict accordance with the remediation options identified within the Site Investigation Report (report no. 12674/GNS/20/SI) prepared by Integral Geotechnique and received by the Local Planning Authority on 9 November 2020. If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Site Investigation Report' then a revised remediation strategy shall be submitted to the Local Planning Authority.

Reason:

To ensure the appropriate mitigation work is carried out for potential risks from contaminated land.

Condition 5.

The development shall be carried out in strict accordance with the Ecological Design Scheme (document ref. WWE20176 Rev A). The proposed compensation and mitigation features referred at section 4 of the report shall be carried as specified and physical measures and bat boxes installed shall be retained thereafter.

Reason:

In the interests of biodiversity and in order to ensure that there is no detriment to the maintenance of the favourable conservation status of Bat species.

Condition 6.

The development hereby approved shall be carried out in accordance with the document Construction Environmental Management Plan (reference. JP/CEMP/ /REV 0) and shall be implemented during all stages of demolition and construction.

Reason:

To prevent the pollution of the environment and ensure adequate dust mitigation measures are in place.

Condition 7.

The surface water removal and betterment referred to within the Drainage Strategy Note – Revision A (prepared by Spring Design reference. 2495-DSN01) shall be fully implemented and secured prior to the first occupation of the development.

Reason:

To ensure the development achieves compliance with the Memorandum of Understanding (MoU) and required betterment is achieved.

Condition 8.

Prior to the commencement of construction work, details of the site's southern and western boundaries shall be submitted and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed before occupation of the first dwelling and retained thereafter, unless otherwise agreed in writing with the Local Planning Authority. he boundary treatment

Reason:

In the interests of privacy.

Condition 9.

The development shall be carried out in strict accordance with the Detailed Soft Landscape Plan pages 1-4 (drawing no. edp6530_d001k) and Tree Removal and Retention Plan. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the first occupation of the development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved scheme which, within a period of 5 years after full occupation of the development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

Reason:

In the interest of visual amenity.

Condition 10.

Prior to the beneficial occupation of the dwelling hereby approved the bathroom and the en-suite windows (as shown on the Proposed Floor Plan drawing no. 2495 - 04(03) 207 Rev D) located on the first floor of Plot 1 – House Type C be fitted with obscure glazing to a minimum of level 5 on the Pilkington index of obscurity. The obscure glazing shall then be retained in that condition thereafter in perpetuity.

Reason:

In the interest of privacy and residential amenity.

Condition 11.

The roof area to the rear of plots 2 and 3 (house type D) shall not at any time be used as a storage area, balcony, roof garden or similar amenity area.

Reason:

In the interest of privacy and residential amenity.

Condition 12.

Prior to its use by vehicular traffic, the new access road and associated footway shall be laid out and constructed in accordance with the Proposed Access Arrangements Plan 1:200 @ A1 (2495/550), Dated: 28/04/2021.

Reason:

In the interest of highway safety.

Condition 13.

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

Reason:

In the interest of highway safety.

Condition 14.

Prior to any use of the estate road access by vehicular traffic, the visibility splays shown on the Proposed Access Arrangements Plan 1:200 @ A1 (2495/550), Dated: 28/04/2021 shall be formed and thereafter retained in perpetuity, either side of the centre line of the estate road access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.

Reason:

In the interest of highway safety.

Condition 15.

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

Reason:

In the interest of highway safety.

Condition 16.

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

Reason:

In the interest of highway safety.

Condition 17.

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.

Reason:

In the interest of highway safety.

Condition 18.

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

Reason:

In the interest of highway safety.

Condition 19.

All existing trees, hedgerows and vegetation identified for retention on the submitted Tree Removal and Retention Plan shall be retained on site. All site operations shall be undertaken in compliance with the approved landscape constraint and protection information, as defined in the following submitted documents Tree Survey (prepared by RTAC Trees Revision 2), Detailed Soft Landscape Plan pages 1-4 (drawing no. edp6530_d001k), Tree Removal Plan and Tree Retention Plan (scale 1:75) and Landscape Management Plan (reference. edp6530_r001g). Any construction operations and/or access within the defined construction exclusion zone(s) (CEZ) shall be limited to those undertaken in compliance with the recommendations of BS5837. CEZ(s) shall be fully implemented prior to the commencement of any works associated with the development; and thereafter maintained in entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

Reason:

To ensure the necessary protection of existing trees and hedgerows on site.

Condition 20.

The approved landscape maintenance and management information, as defined in the following submitted document: - Landscape Management Plan (reference. edp6530_r001g) shall be fully implemented and the measures referred maintained thereafter.

Reason:

To ensure future management of landscape at the site.

Notes / Informatives

Note 1.

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

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

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

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

Note 2.

The required planning contributions in respect of the development have been secured with the applicant entering into a Section 106 agreement as part of outline planning permission ref. S/36817.

Note 3.

Comments and responses received from consultees and third parties can be found on the Authority's website (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 the Council's Highway Officer, Landscape Officer, Planning Ecology, Sustainable Drainage Approval Body (SAB), Natural Resources Wales, Coal Authority and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.

Application No	PL/01737
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Application Type	FULL PLANNING PERMISSION
Proposal & Location	REPLACEMENT RESIDENTIAL TWO STOREY DWELLING - PENCAE, LLANARTHNE, CARMARTHEN SA32 8JP

Applicant(s)	SIAN MITCHELL
Agent	IAGO CYMRU LTD
Case Officer	PAUL ROBERTS
Ward	LLANFIHANGEL ABERBYTHYCH
Date registered	26/04/2021

Reason for Committee

This application is being reported to the Planning Committee given that the applicant is related to the local member of the Llanddarog ward.

Site

The application site consists of an irregular shaped parcel of land located on the northern flank of the B4297 in a countryside location approximately 2.7 kms to the north of the village of Maesybont. The site consists of a vacant detached two storey dwelling and its domestic curtilage as well as a narrow strip of land in the adjoining field enclosure to the south west of the dwelling. This additional land has been included for the purposes of creating a new access to the development.

The existing dwelling is set close to and below the roadway and has a traditional balanced front façade with rendered elevations and a slated roof. The rear of the property has been the subject of a number of previous extensions and alterations and consists of a mix of flat roof and lean-to additions together with a corrugated sheet structure which is in a state of disrepair. The curtilage of the property consists of a number of agricultural buildings which include two stone buildings and a corrugated dutch barn. It slopes down in a northerly direction being elevated above the field enclosure to the rear and has the benefit of panoramic views of the Towy valley to the north. The property currently has the benefit of two accesses onto the road, with the principal access located immediately to the side of the dwelling which slopes down steeply to the side of the dwelling. The second access is located further to the north west and provides access to the dutch barn to the side of the dwelling.

Proposal

The application seeks full planning permission for the demolition of the existing property and the construction of a new replacement four bedroom dwelling. The new dwelling is to be set partly on the footprint of the existing house albeit it will be set back at a greater distance from the roadway. It is to have a comparable footprint to the existing house and adjoining rear extensions and structures and will be of a two storey construction with a hipped pitched roof. Its front elevation will be characterised by gable and hipped roof projections with the rear having similar gable projections that will have large glazed openings overlooking the views of the Towy valley to the north. Its external finishes will primarily consist of painted rendered elevations and a grey standing seam roof.

The existing access to the side of the house is to be blocked up as part of the development and a new access to the replacement dwelling provided via an existing gated field entrance located in the neighbouring field to the south west. The new access will run parallel with and to the rear of the existing hedgerow fronting the field enclosure and lead to a parking and turning area located adjacent to the northern side elevation of the new dwelling. The existing access to the side of the dwelling is to be blocked up as part of the proposal. The ground levels of the rear garden of the existing house are to be raised in part to allow the construction of the new dwelling.

The application has been accompanied by a structural survey of the existing house which, whilst concluding that the building is structurally sound, recommends that it will require significant remedial repairs and updating works to bring it back to a habitable standard and meet current building regulation requirements.

A bat survey of the building has also been provided which confirms the presence of bats and provides a mitigation scheme to be implemented as part of the development.

Planning Site History

There is no relevant planning history.

Planning Policy

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

- SP1 Sustainable Places and Spaces
- GP1 Sustainability and High Quality Design
- TR3 Highways in Developments – Design Considerations
- EP3 Sustainable Drainage
- EQ4 Biodiversity
- SP14 Protection and Enhancement of the Natural Environment.
- H4 Replacement dwellings
- EQ6 Special Landscape Areas

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

Summary of Consultation Responses

Head of Transport – Has raised no objection.

Llanfihangel Aberbythych Community Council – No response received to date.

Local Member – County Councillor Cefin Campbell supports the application.

Dwr Cymru Welsh Water – Has raised no objection.

Natural Resources Wales – Has raised no objection.

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

Summary of Public Representations

No third party letters of representation have been received to date.

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

Appraisal

Policy H4 of the LDP provides the policy context for proposals for replacement dwellings and permits such developments subject to a number of qualifying criteria. These include the need for the dwelling to be located on the footprint of the existing dwelling unless an alternative location within the curtilage brings environmental, landscape or visual improvements, and the need for the dwelling to not be disproportionate in size to the existing dwelling. The policy also requires that the design and materials of the replacement dwelling shall be appropriate to the area and that there shall be no unacceptable highway, nature conservation or amenity impacts.

The new dwelling will be constructed partly on the footprint of the existing house, albeit it will be set back further from the roadway. This increased distance will improve the living conditions of the occupiers by minimising the noise and disturbance from passing traffic along the B4297, while also allowing the provision of the new improved access arrangement that will replace the existing steeply sloping access and lead to a new parking and turning area to the side of the new dwelling.

Although the new dwelling will be larger than the existing house, it will not be disproportionate in size or discordant with the character and appearance of the surrounding rural area wherein it is located. The high quality design and finish of the new house will be compatible with the site's location while also removing the unkempt structures and additions at the rear of the existing house. It will address the deficiencies and remedial works required to bring the existing property back into residential use by replacing it with a new dwelling built to modern building standards that will provide sustainability benefits in the long term.

Whilst the new access will extend through the neighbouring field enclosure, it will improve the existing access arrangement both in terms of its gradient and visibility along the roadway, while also leading to improved parking and turning facilities. Moreover, its location immediately to the rear and below the existing roadside hedge will mean that the new access will not be visually prominent from the roadway or indeed the wider lower lying areas of the Towy Valley to the north. The development will not result in any unacceptable material harm to the Towy

Valley Special Landscape Area wherein it is located and is in compliance with the objectives of Policies GP1, H4 and EQ6 of the LDP in terms of its landscape and visual impact.

The Head of Transport has raised no objection from a highway safety perspective subject to the imposition of a number of conditions which include the requirement that the existing access serving the site be stopped up as part of the development. The permission will therefore be conditioned in accordance with this advice to ensure compliance with the highway safety objectives of policy TR3.

From a nature conservation perspective, Natural Resources Wales have been consulted on the bat mitigation measures proposed by the applicant and have raised no objection subject to the imposition of a condition securing their implementation. The permission will be conditioned accordingly. They have also confirmed that they are satisfied that the proposal will not have a significant effect upon the Afon Tywi SAC by way of phosphate inputs. Allied to this, officers have 'screened' the development in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) which, similar to the advice of NRW, concludes that the development will not have a significant effect upon the SAC.

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, 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.

The application is therefore put forward with a favourable recommendation.

RECOMMENDATION – APPROVAL

Conditions and Reasons

Condition 1.

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

Reason:

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

Condition 2.

The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-

- Block and location plan (PA/03)
received on 19 July 2021
- Floor plans and elevations (PA/02)
- Bat Report prepared by Rob Colley Associates dated September 2020 & June 2021
- Site sections (PA/04)
received on 1 July 2021
- Proposed access plan (PA/05)
received on 17 August 2021
- Proposed access section (PA/05)
received on 18 August 2021

Reason:

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

Condition 3.

No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping and boundary treatments. 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.

Reason:

In the interests of visual amenities.

Condition 4.

The development hereby approved shall be undertaken in strict accordance with the recommendations and mitigation measures contained in the Bat Report prepared by Rob Colley Associates dated September 2020 & June 2021 and floor plans and elevation drawing (PA/02) received on 1 July 2021 and

Reason:

To ensure there is no detriment to the maintenance of the favourable conservation status of Bat species.

Condition 5.

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

Reason:

In the interests of highway safety

Condition 6.

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.

Reason:

In the interests of highway safety

Condition 7.

The existing vehicular access to the front of the proposed new dwelling shall be permanently stopped up in accordance with the details shown on the block plan (PA/03) received on 19 July 2021 prior to the new means of vehicular access herein approved, being brought into use.

Reason:

In the interests of highway safety

Condition 8.

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

Reason:

In the interests of highway safety

Condition 9.

Notwithstanding the details shown the Proposed Access Plan (PA/05) received on 17 August 2021, prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 90 metres to the south-west side and 2.4 metres x 120 metres to the north-east side, 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 interests of highway safety

Condition 10.

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

Reason:

In the interests of highway safety

Condition 11.

The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highway safety

Condition 12.

The access shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the nearside edge of carriageway, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

Reason:

In the interests of highway safety

Notes / Informatives

Note 1.

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

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

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

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

Note 2.

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

Note 3.

A European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Application No	PL/02156
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Application Type	Householder
Proposal & Location	FIRST FLOOR REAR EXTENSION, REPLACEMENT OF ANCILLARY RESIDENTIAL OUTBUILDING AND ASSOCIATED DEVELOPMENT THERETO - DROS Y MOR, 3 PENLLECH, PWLL, LLANELLI, SA15 4AN

Applicant(s)	Dr Helen Lewis
Agent	AJ Planning & Development
Case Officer	Zoe James
Ward	Hengoed
Date registered	15 July 2021

Reason for Committee

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

Site

The application site comprises the detached residential dwelling of Dros Y Mor, 3 Penllech in Pwll. The property is two storeys with a pitched roof with a pebble dashed finish. The property fronts to Penllech to the west with vehicular access to the site via a private driveway from the northwestern corner. To the front of the property is car parking with private garden amenity area to the rear. An existing outbuilding lies along the northern boundary in the rear garden of the property.

The site is bordered by residential dwellings to the south and west with existing public footpath to the north. The street scene of Penllech is predominantly characterised by two storey semi-detached properties with a detached bungalow immediately to the west.

The site is situated within the defined development limits of Llanelli within the Adopted Local Development Plan (LDP). It is not situated within any environmental or ecological designations and is not within flood risk area.

Proposal

The application seeks planning permission for a new first floor rear extension and demolition of the existing single storey outbuilding and replacement with a home office building. The proposed extension is to provide a first floor above the existing single storey kitchen and dining room to the rear of the property. The proposed extension extends slightly beyond the existing

footprint of the dwelling at ground floor creating a small overhang. The proposed extension will result in internal reorganisation of the property at first floor to provide a new bedroom, family bathroom and ensuite bathroom. Three new windows are proposed on the rear elevation looking to the east, with two new windows on the south elevation to serve the ensuite bathroom. The internal layout of the ground floor of the property is also proposed to be reconfigured. The proposed extension is to be finished in slate cladding, with slate cladding also proposed for the ground floor existing side elevation.

In the rear garden, the existing outbuilding is proposed to be demolished and replaced with a new outbuilding to provide a home office and storage building. The existing outbuilding measures approximately 7m length and 3.6m wide, with a smaller shed of 1.5m x 2.5m adjoined to the northeast elevation. The replacement outbuilding measures 8.5m by 3.1m so is largely of the same footprint as the existing outbuilding and shed at the property. The outbuilding is proposed to have an off centre pitched roof with slate cladding to the elevations. Three sets of double doors are proposed off the outbuilding to the south elevation. The submitted Planning Statement refers to this element benefiting from permitted development rights but being included for completeness as part of the scheme at the property.

Planning Site History

The following planning history is of relevance:

S/17469 - ERECTION OF TWO STOREY SUN LOUNGE/BEDROOM EXTENSION
Full Granted 29/11/2007

Planning Policy

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

Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP')
GP1 Sustainability and High Quality Design
GP6 Extensions
EQ7 Biodiversity

Carmarthenshire Supplementary Planning Guidance

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

Summary of Consultation Responses

Head of Transportation & Highways - No observations received to date.

Public Rights of Way Officer – Advise of the public footpath to the north of the site and the legal requirement not to obstruct or encroach upon it during construction or at any time thereafter.

Head of Public Protection - No observations received to date.

Planning Ecology – no objection subject to conditions being imposed relating to biodiversity enhancements at the site and external lighting.

Sustainable Drainage Approval Body (SAB) – advise development is not at risk of flooding and proposed increase in footprint is less than 100sq m so SAB approval is not required.

Llanelli Rural Council - No objection provided extension is subordinate and compatible to host dwelling, external appearance is subordinate, design of development does not have detrimental impact on host dwelling and any increase in surface water shall not be permitted to enter the public sewerage system.

Local Member(s) - Councillor Penny Edwards has not commented to date.

Local Member(s) - Councillor Susan Phillips has not commented to date.

Natural Resources Wales - No observations received to date.

Dwr Cymru/Welsh Water – no objection subject to condition.

Coal Authority – proposal is not on the Coal Authority consultation list as it is a householder 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 neighbouring letters issued to adjoining properties.

Four representations were received, three objecting and one in support, and the matters raised are summarised as follows:

- Property already has a large two storey extension to the side of the house which overlooks households to the south which are significantly lower in height.
- Scale of the first-floor extension will create a large dominating dwelling impacting skyline.
- Scale and visual impact of the proposed extension will be out of character with properties nearby.
- Extension will impact privacy of properties to the south.
- Scale of extension will be overbearing, cause overshadowing and loss of light on households to south.
- Concern regarding flooding and land stability due to change in site levels.
- Pwll is becoming overcrowded with new building proposals and should be a limit on new building within the village.
- Planning permission has previously been granted on known mineshafts which have been ignored by the Council.
- Confirm they are nearest property to the site and have no complaints or objections regarding the planning application.

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

Appraisal

Principle of development

In terms of the principle of development, the planning application proposes a first-floor rear extension and replacement outbuilding at an existing residential dwelling, within development limits and within an established residential area. Local Development Plan (LDP) Policy GP6 is of relevance. The policy supports residential extensions where they are compatible to the size and character of the existing development and do not adversely affect the amenity of neighbouring properties. As such, the principle of the proposal is accepted subject to compliance with specific policies.

Impact upon character and appearance of the host dwelling and area

The proposal involves a first-floor extension measuring 11m in length and 4m width to the rear elevation. The existing ground floor footprint is approximately 3.2m wide and 9.8 long, resulting in a small overhang at first floor. Although it is worth noting that the first-floor extension is smaller in length than the two-storey element of the host dwelling. In terms of the impact on the host dwelling, the proposed extension is set below the established ridge line of the dwelling. Turning to the appearance on the front elevation and impact on the streetscene, the proposed extension will not be visible. The front elevation is proposed to include a new roof light window and creation of new glazing at ground floor. The proposed extension will not be visible from the streetscene.

In terms of the materials, the proposed extension is to be finished with slate cladding to provide a modern and contemporary appearance which seeks to provide visual separation between the original and new elements of the dwellinghouse. New glazing is also proposed to provide additional light within the dwelling. It is acknowledged that the proposed rear extension and overhang is of different appearance and style to the traditional host dwelling, albeit it is not considered to adversely harm the character of the host dwelling and instead will enhance and modernise the dwelling. Slate cladding is also proposed for the new outbuilding to link together the ancillary outbuilding with the main dwellinghouse.

The property occupies a decent sized plot with existing amenity area to the rear and driveway and parking area to the front. The extension is proposed to the rear of the dwelling above the existing single storey kitchen and dining room. The extension is not proposed to be the full length of the existing dwelling house and will be off set from the existing side elevations of the property. The proposed outbuilding is largely a replacement outbuilding of the same footprint as the existing outbuilding and shed at the site and will be located in a similar position along the northern boundary of the site. Therefore, the proposal does not result in a loss of amenity space at the property. In addition, sufficient garden space remains to the rear of the property and the existing driveway and parking area to the front is unaffected by the proposed extension or outbuilding. On this basis, the proposal is considered to comply with the relevant criteria regarding scale and design under policies GP1 and GP6.

Privacy and Visual Impact

Turning to privacy and impact on amenity of neighbouring properties. This has been raised as a concern in all three of the neighbour objections received in relation to the first-floor extension. Two new windows are proposed on the south side elevation of the extension. These are both proposed to serve an ensuite bathroom and as such, a condition is proposed to require the windows to be obscure glazing. Three additional windows are proposed at first floor on the rear

elevation facing the east. These windows will predominantly look out onto the garden of the application site which measures approximately 18m to the rear boundary. Beyond this are the rear extents of the gardens of neighbouring properties to the south. The existing garden is bordered by a fence and existing hedgerow/vegetation on the southern boundary. The eastern boundary of the rear garden comprises a close boarded fence which steps down as per the ground level of the garden.

The proposed first floor extension does not extend the existing building line on the side elevation further south or any closer to properties on Elgin Road than the existing dwelling. No. 54 Elgin Road is situated directly to the south of the application site, the proposed extension is approximately 25.5m from the rear elevation of this property. It is acknowledged that properties to the south are set at a lower level and benefit from large substantial gardens and the extension will be visible from their properties and gardens, as the existing dwelling is also visible. However, as there is no change to the building line of the property and the windows on the side elevation are to be conditioned with obscure glazing, the proposal is not considered to result in a significant loss of privacy or overbearing impact to neighbouring occupiers to warrant refusal of the proposal.

It is also worth noting that the existing dwelling presently has a large clear glazed window on the south side elevation which serves a bedroom. The proposed extension will not result in the addition of any new unobscured glazing on the south side elevation.

Due to the position of the proposed first floor extension on the east elevation, this is not considered to result in loss of light for properties situated to the south. The requirements of policies GP1 and GP6 are considered to be met in that the proposal does not adversely affect the amenities of neighbouring properties.

Other Matters

In terms of the concerns raised regarding flooding, the application site is not situated within a flood zone as confirmed by the response received from the Authority's Sustainable Drainage Approval Body (SAB). They confirm no adverse comments to the proposal and advise SAB approval is not required. The application has also been reviewed by Dwr Cymru Welsh Water (DCWW), who do not object subject to a condition being imposed regarding surface water drainage.

Regarding the comment made in relation to land stability, any development at the site would be required to obtain building regulations to ensure stability of the development.

Other comments received relate to other developments within the wider area of Pwll and are not of relevance to the current householder application for a first-floor extension and replacement outbuilding. The application site lies within the Coal Authority Development High Risk Area but given the scale of the development proposed under a householder application, it does not fall under the Coal Authority consultation list.

Planning Ecology have reviewed the application submission and confirmed no objection, subject to conditions being imposed in relation to ecological enhancements being provided as part of the development and external lighting.

The proposal is therefore considered to be in accordance with the objectives of policies GP1 and GP6 in terms of its scale and appearance and likely impact upon the residential amenity of neighbouring occupiers.

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 in line with relevant Local Development Plan Policies and objections received, it is concluded on balance that the proposed first floor extension and replacement outbuilding is acceptable. The first-floor extension is considered to be a contemporary addition which is not incompatible to the appearance of the existing property and of suitable scale for the site. The positioning of the extension is not considered to result in a significant adverse impact on the amenities of neighbouring properties by way of loss of privacy subject to the proposed conditions. The proposed replacement outbuilding is situated in similar position to the existing and as such, is not considered to have an adverse impact on the host dwelling or amenities of neighbouring properties.

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

Reason:

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

Condition 2.

The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans:-

- Site Location Plan scale 1:1250 received 21 June 2021;
- Existing Plans and Elevations drawing no. XXX-001 received 21 June 2021;
- Proposed Floor Plans and Outbuilding Sections drawing no 716.001 received 23 August 2021;

- Proposed Elevations drawing no 716.002 received 23 August 2021;
- Proposed Site Plan drawing no 716.003 received 23 August 2021;
- Planning, Design and Access Statement reference. AJ/HEA/001 received 21 June 2021;
- Preliminary Bat Roost Assessment prepared by Richard Toffs Ecology received 15 July 2021.

Reason:

In the interests of visual amenity and to confirm the extent of the permission.

Condition 3.

The materials to be used in the construction of the external surfaces of the extensions shall be as referred on Proposed Elevations (drawing no. 716.002).

Reason:

In the interests of visual amenity.

Condition 4.

Before the development hereby permitted is first brought into use the ensuite bathroom windows at first floor level on the south elevation (as shown on Proposed Floor Plans drawing no. 716.001) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.

Reason:

In the interest of privacy.

Condition 5.

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason:

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

Condition 6.

The development must be carried out in strict accordance with the submitted bat report and the following enhancing measures detailed at section 4 Discussion and Conclusions implemented prior to first use:

- Attach two bat boxes (e.g. Beaumaris Woodstone bat box) onto the new extension at eaves level to provide bat roosting opportunities where none currently exist. As an alternative, bat bricks could be incorporated into the structure (leaving only the entrance slots open to the outside) rather than attaching bat boxes to the exterior. These will be placed in any orientation but should be located well away from any external light (which should be avoided).
- Erect two house sparrow terraces at eaves level to provide nesting habitat. The terrace(s) should be located out of direct sunlight and a location on the northern aspect close to the top of the extension.

- Attach three Woodstone insect blocks to walls on the outhouse or within the garden in sheltered and sunny locations to provide habitat for invertebrates.

Reason:

In the interest of protection of bats and the provision of mitigation and enhancement features.

Condition 7.

Prior to the installation of any external lighting a detailed lighting plan, focusing on minimising lighting impacts near to proposed bat roosts and maintaining dark corridors (see Guidance Note 8 Bats and Artificial Lighting / Bat Conservation Trust and the Institution of Lighting Professionals, 2018), shall be submitted to the local planning authority for written approval.

Reason:

To ensure suitable lighting is installed minimising any impact on bats in the area.

Notes / Informatives

Note 1.

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

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

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

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

Note 2.

Comments and responses received from consultees and third parties can be found on the Authority's website (www.carmarthenshire.gov.uk). They may also relate to other permissions or consents required or include further advice and guidance.

- Please see the relevant response from Authority's Planning Ecologist, Countryside Access Officer, Sustainable Drainage Approval Body (SAB) and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.