

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Cynllunio
Adran yr Amgylchedd**

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

09/12/2021

**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:	09/12/2021
REPORT OF:	HEAD OF PLANNING

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
E/38576	Single storey dwelling with habitable roofspace and integral garage at land adjacent to 15 Plas Gwyn Road, Penygroes, Llanelli, SA14 7RY
PL/00799	One Planet Development at land south of Blaenhiraeth, Henllan Amgoed, Whitland, SA34 0SG
PL/02848	Proposed full planning application for development of residential homes, highways access, parking, landscaping and associated infrastructure works at land south of Erw'r Brenhinoedd, Llandybie, Ammanford, SA18 2TQ
PL/02849	Approval of all reserved matters in respect to the development of new light industrial and office buildings on Plot 3 including associated ancillary buildings/structures, landscaping and supporting infrastructure at Cross Hands East Strategic Employment Site, Plot 3, Cross Hands

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
S/35028	Two storey dwelling at 15A Bryncaerau, Trimsaran, Kidwelly, SA17 4DW
PL/02285	Demolition of existing (partially built) stable block to be replaced by a residential dwelling (local need) at land opposite Ty Liliwen, Nantycaws, Carmarthen, SA32 8EP
PL/02533	Removal of Condition 11 on E/27795 (one residential dwelling (local needs)) at Gwenlliw, Dryslwyn, Carmarthen, SA32 8RF

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/38576
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Application Type	Outline
Proposal & Location	SINGLE STOREY DWELLING WITH HABITABLE ROOFSPACE AND INTEGRAL GARAGE AT LAND ADJACENT TO 15 PLAS GWYN ROAD, PENYGROES, LLANELLI, SA14 7RY

Applicant(s)	WILLIAM LLOYD OWEN
Agent	CHRIS OWEN
Case Officer	Andrew Francis
Ward	Penygroes
Date of validation	19/03/2019

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one letter of objection from different third parties. The application was previously reported to the Planning Committee at its meeting on the 27th June 2019, whereupon the Committee resolved to defer determination until such time as the requested bat survey report was received, and the Planning Ecologist had considered its contents.

Subsequently, the application was reported back to the Planning Committee at its meeting on the 4th March 2020. Subsequent to the consideration of various concerns raised, including those of the local ward member, it was resolved by the Planning Committee to defer determination until a site inspection was undertaken to view the access to the site from the main road.

As more than 20 months have now passed, with no realistic prospect of the Planning Committee reconvening site inspections in the near future. This planning application is being reported back to the Planning Committee for re-consideration.

Site

The application site consists of an irregular plot of land situated to the south of 13 and 15 Plas Gwyn Road, Penygroes. The area in which the dwelling is proposed does not have a defined development pattern or discernible building line, and is border to the immediate South and South-east by 26 Bridge Street and 17 Plas Gwyn Road respectively.

The site is to be accessed off Plas Gwyn Road, utilising the same access that is used for the existing dwellings of 13, 15, 17 and 21 Plas Gwyn Road along with the car repair garage situated on the road frontage to the same.

The irregular shaped plot has a site area of approximately 515 square metres, with a maximum plot depth of 25.5 metres and a maximum plot width of 29 metres. The site is broadly flat and currently overgrown, with two modest outbuildings sited within its boundary. The plot is entirely enclosed by third party properties, other than for the shared driveway, which serves as the sole means of access into the plot.

The application site is situated approximately 100 metres from Penygroes Square and the amenities that this village centre offers.

Proposal

The application seeks outline planning permission for the provision of one residential dwelling, described as a 'single storey bungalow with habitable roofspace, and adopting footprint and siting similar to that previously approved under an earlier outline application which lapsed in 2013'.

The application seeks to consider the otherwise reserved matters of "Access" and "Scale". The further reserved matters of "Appearance", "Layout", and "Landscape" are however reserved under this hybrid outline planning application.

With regards to "Access", this is to be off Plas Gwyn Road via the same route that serves the existing dwellings of Nos. 13, 15, 17 and 21 Plas Gwyn Road, leading past these dwellings on-route into the plot, ultimately via a gated access. Three parking spaces are proposed, which accord with the CSS 2008 South Wales Parking Standards, with one shown as being an integral garage. The forecourt is shown to have adequate turning space which is situated to the north of the dwelling.

With regards to the scale of the proposed dwelling, the width is to be a maximum of 11.7 metres and maximum depth of 8.5 metres. The height of the proposed dwelling is to be a maximum of 7 metres.

Indicatively, the proposed dwelling is shown to have 4 bedrooms, together with the customary kitchen, dining area, and living room. The amenity area to serve the dwelling is shown to the west of the dwelling and measures approximately 14 metres in depth.

As the site presently accommodates a small number of redundant outbuildings, with the potential to harbour bats (a protected species), a bat survey report was requested, and ultimately provided in support of the application.

Surface water is stated as being dealt with via a soakaway, and a separate SAB application has been submitted.

Planning Site History

The following previous applications have been received in respect of the application site:-

E/17799	Renewal of outline planning permission E/08398 (one dwelling) Outline granted	18 March 2008
E/08398	One dwelling Outline granted - Committee	18 November 2004
P6/5043/79	Four dwellings Full granted	18 October 2004
P6/2034/76	Residential development Full granted	26 August 1976

Planning Policy

In the context of the Authority's current adopted Carmarthenshire Local Development Plan (LDP), the application site is located within the development limits of Penygroes, as defined by Inset Map No. GA3 Ammanford/Cross Hands, to the same. The following policies are of relevance to the proposal:-

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

Policy GP1	Sustainability and High Quality Design
Policy GP3	Planning Obligations
Policy H2	Housing Within Development Limits
Policy AH1	Affordable Housing
Policy EQ4	Biodiversity

Summary of Consultation Responses

Head of Transportation & Highways – Offers no objections subject to the imposition of conditions.

Llandybie Community Council – Offers no observations on the proposal.

Local Member - County Councillor D Thomas objects to the proposal raising the following issues:

- The previous planning permission granted in 2004 was for a single storey building, whereas this is described as a single storey building with habitable roof space. This sounds like a 2 storey building.
- The access to the main road is very poor as it passes through the forecourt of a car repair business which is increasingly busy and the junction with the main road has extremely poor visibility.
- There would be fairly major problems in getting mains services as well as machinery needed for construction to this site. A site visit is needed.

Dwr Cymru/Welsh Water – No objections subject to the imposition of a planning condition.

Coal Authority – Offers no objection to the proposal.

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

Summary of Public Representations

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

Two representations were received, both objecting. The matters raised are summarised as follows:

- The access to the site is poor and due to the car repair garage, increasingly busy.
- The junction from the private road onto the main road has poor visibility with no splay. The main road is very busy and people park outside their houses which further restricts visibility.
- To bring in mains services will be problematic and will require digging up the existing garage forecourt to install the mains pipes.
- Accessing the site with building machinery will be problematic also, the access to pass the corner of No. 15 is very narrow.
- The previous permission on site was for a bungalow. This proposal sounds like it is a two storey dwelling.

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

Appraisal

Principle of Development

The principle of residential development on this site has long been established, with the site history showing that planning permission was first granted in 1976. The most recent permission granted on this site was an outline permission granted in 2008, which expired in 2011. This sought to develop a single storey bungalow on the site and is a point that has been raised by both objectors and the Local Member.

Privacy and Amenity Impacts

The indicative plans show that the dwelling is to have 2 bedrooms in the roof space and the height of the proposed dwelling would be a maximum of 7 metres. As highlighted by certain of the respondents, this may not be true to certain interpretations of what is understood to be a “bungalow”, but the definition of a bungalow can include a dwelling with upstairs rooms set in the roof. However, the indicative plans also show unbroken roof planes with the only glazing to the roof space being in the form of roof light windows in the roof planes facing away from the two closest properties of 13 and 15 Plas Gwyn Road. Therefore, the potential for injury to privacy would be greatly minimised by the indicative roof form and glazing shown. Furthermore, the eaves level is indicatively shown to be approximately 3 metres, typical of a modern single storey dwelling. As such, provided that the design of the proposed dwelling was to be similar to that shown on the indicative plans, and that no vertical windows

were proposed to serve the rooms occupying the roof space, it is considered that although the dwelling would in practice be two storey, the amenity and privacy of the occupiers of the existing dwellings would be adequately safeguarded.

Impact Upon Character and Appearance of the Area

Whilst Penygroes has typically developed in a ribbon development pattern, this section of the village, just beyond Penygroes square, has no discernible development pattern. As such, the inclusion of this proposed dwelling at this location would not cause a detrimental impact upon the character and appearance of the area.

Highway Impacts

All three objectors have raised concerns relating to the access to the site off Plas Gwyn Road, via the busy shared private access lane that passes through the yard of the car repair garage. In consideration of the proposal, the Authority's Head of Transport has advised that the proposal is considered to be acceptable from a highways perspective, subject to the imposition of conditions. As such, it is considered that the visibility from the private lane access onto Plas Gwyn Road is acceptable, as is the private lane itself, and the plot can provide adequate parking and turning facilities to serve the proposed development.

Biodiversity Impacts

The application site is currently overgrown and contains two old modest outbuildings that are to be removed. As these buildings are to be removed, the Authority's Planning Ecologist has advised that the development site meets the criteria for requiring a bat survey, required to be submitted and scrutinised prior to the determination of the planning application. The applicant's Agent has now provided a bat scoping survey which found no signs of bats roosting in any of the buildings proposed to be demolished, as well as qualifying that the buildings had negligible potential to be used by bats.

Based on what has been submitted, the Authority's Planning Ecologist has raised no objection, subject to the imposition of a condition making express reference to specific conclusions and recommendations contained in the bat report.

Other Matters

With regard to the other matters raised in objection, these cannot be considered to be material planning matters. Specifically, although it might be problematic to bring mains services to the application site, these are not considered to be insurmountable obstacles to the development. Any negotiations will have to be carried out with the neighbouring landowners, with these negotiations taking place outside the realm of planning control.

Similarly, issues of bringing machinery and materials on site are matters that fall outside the remit of planning control.

Planning Obligations

The Applicant has entered into a Unilateral Undertaking to provide the relevant contributions towards the affordable housing fund and towards the Caeau Mynydd Mawr Special Area of Conservation.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded, on balance, that given the longstanding planning history at this site which shows that the principle of residential development is well established, the currently proposed scheme is generally considered to be an acceptable form of development. As such, the application is recommended for approval, subject to the completion of a unilateral undertaking securing payment of the requisite affordable housing contribution, as well as that required to be paid in accordance with the provisions of the Caeau Mynydd Mawr Special Area of Conservation SPG.

Recommendation – Approval

Conditions and Reasons

Condition 1

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:-

- (a) the expiration of five years from the date of this permission; or
- (b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter 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

The permission now granted relates to the land defined by the following schedule of plans and specific supporting documentation:-

- Location Plan [01] 1:500 @ A3 received on the 15 December 2018;
- Drawing Site Plan [02] 1:500 @ A3 received on the 15 December 2018;
- Location Plan 1:1250 @ A4 received on the 6 February 2019;
- Site and Access Plan [PL 03] 1:200 @ A4 received on the 6 February 2019.

Reason: For the avoidance of doubt as to the extent of this permission and to ensure an acceptable layout and access is provided.

Condition 4

Development shall not commence until detailed plans of the layout, external appearance and landscaping have been submitted to, and received the written approval of the local planning authority.

Reason: In the interest of visual amenity.

Condition 5

The design of the dwelling hereby granted planning permission shall be of a single storey appearance, with unbroken roof planes.

Reason: In the interest of visual amenity.

Condition 6

All planting, seeding or turfing that comprise the approved landscaping details shall be carried out in the first planting season following the completion of the development.

Reason: In the interest of visual amenity.

Condition 7

Development shall not commence until details of boundary treatments to serve the site have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of visual amenity.

Condition 8

Development shall not commence until details of existing ground levels, proposed finished ground and floor levels and site cross sections have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity.

Condition 9

Prior to the commencement of development the written approval of the local planning authority shall be obtained for a scheme of parking and turning facilities within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter

shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

Reason: In the interest of highway safety.

Condition 10

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 interest of highway safety.

Condition 11

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

Reason: In the interest of highway safety.

Condition 12

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

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

Condition 13

The development hereby approved shall be undertaken in strict accordance with the provisions of sections 6.3.1 – 6.3.4 and sections 6.4.1 – 6.4.2 of the Preliminary Bat Roost and Nesting Bird Assessment Report prepared by Acer Ecology (August 2019). Prior to the commencement of development full details of a scheme of the referenced details and enhancements referenced in sections 6.3.2, 6.3.3, 6.3.4 and 6.4.2 shall be submitted to, and approved in writing by the local planning authority, and thereafter implemented as approved.

Reason: To comply with the relevant policies and legislation and ensure the necessary ecological mitigation and enhancement requirements are implemented.

Reasons for Granting Planning Permission

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

- It is considered that the proposed development complies with policy GP1 of the Carmarthenshire Local Development Plan (LDP) in that the proposal conforms with and the character and appearance of the site, it would not have an unacceptable impact upon the amenity of adjacent land uses or the residents of the properties. The proposal provides a suitable access which does not give rise to parking or highway

safety issues and provides for the satisfactory generation, treatment and disposal of surface and foul water.

- It is considered that the proposed development complies with policy H2 of the Carmarthenshire Local Development Plan (LDP) in that the proposal accords with the principles of the plan's strategies, policies and proposals.
- It is considered that the proposed development complies with policy AH1 of the Carmarthenshire local Development Plan (LDP) in that the submission includes a legal agreement to contribute towards the affordable housing fund based on the 10% sub market area.
- It is considered that the proposed development complies with policy EQ4 of the Carmarthenshire local Development Plan (LDP) in that subject to the submission of a favourable bat survey, the application site should be capable of the development with any potential impacts able to be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements.
- It is considered that the proposed development complies with policy EQ7 of the Carmarthenshire local Development Plan (LDP) in that the submission includes a legal agreement to contribute towards the Caeau Mynydd Mawr Special Area of Conservation, as per the requirements of this policy and the Supplementary Planning Guidance (SPG).

Notes/Informatives

Note 1

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

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

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

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

Note 2

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

Note 3

The applicant has entered into a Unilateral Undertaking to ensure the provision of the following:-

- A commuted sum of based on a contribution of £41.98 per square metre of internal floor space of the dwelling, towards an Affordable Housing Fund as per the requirement in Local Development Plan policy AH1 based in the low viability (10%) sub market area. 50% of the contribution is to be paid prior to occupation and 50% of the contribution is to be paid prior to first sale.
- A commuted sum of £1043 for mitigating the impact of the development on the Marsh Fritillary Butterfly population within the Caeau Mynydd Mawr Special Area of Conservation. The contribution is to be paid prior to the commencement of development.

Application No	PL/00799
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Application Type	Full Planning
Proposal & Location	ONE PLANET DEVELOPMENT AT LAND SOUTH OF BLAENHIRAETH, HENLLAN AMGOED, WHITLAND, SA34 0SG

Applicant	JERRY REES
Case Officer	Charlotte Greves
Ward	Whitland
Date registered	16/12/2020

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 two fields amounting to 3.5 acres sloping from north to south with existing hedge lines on three sides. The site is located to the northeast of a cluster of properties known as Hiraeth, located approximately 2km to the north east of the settlement of Llanfallteg.

The site has two existing field gate accesses, one providing access into the northern field and opposite the nearest property to the site, Blaenhiraeth, and directly off the C3205. The second field gate provides access into the southern field further south and again directly off the C3205.

There are no existing buildings on the land and the land is stated to have previously been used for occasional grazing of sheep and ponies and cut once a year for big bale silage.

Proposal

The proposal is for a single household, consisting of two individuals, One Planet Development (OPD) and comprises the development of one dwelling house, ancillary buildings and associated land-based enterprises as detailed on the submitted site and elevation plans. A log cabin is also proposed to provide accommodation for the applicants during the initial phase of the development. The applicants wish to retain the log cabin once the permanent dwelling is complete to be used for storage and a workshop space.

The proposed ancillary buildings to be erected would include a potting shed, workshop, hide, goat pen, 2 x greenhouses, 4 x polytunnels and a compost toilet. The siting of second-hand shipping container is also proposed to provide a secure lock up for tools. The applicant has stated that Building Regulations approval is to be sought for the proposed main dwelling as required and the necessary SAB approval has already been obtained by the applicant earlier this year.

The application is supported by a Management Plan (MP) which details how the proposed development would meet the relevant criteria as set out within the Welsh Government OPD Practice Guidance and Ecological Footprint Calculator.

The information provided sets out that principle income-generating activity from the site is through intensive horticultural activities. This would comprise vegetable, herb and fruit growing supplemented by the production of free-range eggs from a flock of chickens. Produce would then go on to be sold at the applicants' two existing zero waste shops located in Narberth and Cardigan to support the applicants' minimum income needs. Surplus produce grown or reared on the site is proposed to provide for the domestic needs of the applicants across a range of food groups. The MP sets out how the development would provide for the minimum needs of the residents in terms of food, income, energy and waste assimilation in no more than five years as required by the Practice Guidance.

Planning Site History

The following previous application has been received on the application site:-

W/09704	Change of use from agricultural land to model village and miniature railway and car parking area. Change of use of existing outbuilding into coffee shop with extension Full Refused	25 July 2005
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Planning Policy

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

Policy GP1	Sustainability and High Quality Design
Policy TR2	Location of Development – Transport Considerations
Policy TR3	Highways in Development – Design Consideration
Policy EQ1	Protection of Buildings, Landscapes and Features of Historic Importance
Policy EQ4	Biodiversity

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government, specifically Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities.

Practice Guidance for One Planet Development (OPD) (2012) which provides practical guidance in support of TAN 6.

Summary of Consultation Responses

TerraPermaGeo (TPG) – Carmarthenshire County Council has commissioned TerraPermaGeo (TPG), consultants specialising in sustainable rural projects, to conduct an independent appraisal of the application. Specifically, this includes the appraisal of the Management Plan. Their detailed assessment and conclusions can be viewed in their “Final Report” dated August 2021, on the Council’s website.

The report summarises that each category covered within the Management Plan (MP) has been assessed and it is concluded that the MP is sufficiently robust and that it is plausible for this site to support this OPD single household consisting of two individuals. The application as presented, including the additional information received in August 2021, meets the requirements of the OPD Guidance.

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

Henllanfallteg Community Council – No objection.

Local Member - Councillor Sue Allen is a member of the Planning Committee and has made no prior comment.

Sustainable Drainage Approval Body – SAB approval required.

Natural Resources Wales – No objection subject to conditions.

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

Summary of Public Representations

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

6 representations were received, 3 in support of the proposal and 3 objecting to the proposal.

The objections refer to:

- The site is not in a designated settlement and is therefore a “greenfield site”. This contradicts the ethos of eco sustainability and sets a precedent for other developments.
- Services to the site e.g., water supply/water pressure unable to support the water needs of the development as the existing water supply is already inadequate for existing residents.
- Interference with water supply from existing well.
- An application to convert an existing Dutch barn which is located 200 metres from the proposed development was previously rejected and therefore a completely new property must also be rejected.
- The proposed human waste pile would create smells and attract flies.
- The design is intrusive and not appropriate for this development.

- The method of managing the proposed commercial (50+) flock of chickens goes against the “eco” ethos.

The representations in support refer to:

- Support for One Planet Developments and One Planet Development policy in general
- Through their two existing shops, Happy Planet Green Store which promotes plastic free living/commerce in Narberth and Aberteifi, the applicants make a vital contribution to our community through supplying nutritious food and other retail goods in ways which help to address the climate emergency.
- The applicants are hardworking, conscientious people and will make a success of growing food, build a sustainable home and creating an environment which benefits both wildlife and local people.
- The business model put forward by the applicant is completely workable and they have a proven market for local produces and proven track record and expertise in horticulture.
- The objection to the proposed development shows a lack of understanding of One Planet Development policy and low impact systems which undermines the basis of their complaints.
- Contributing to more resilient local food system through agro-ecological farming is vital as we enter a post-Brexit era and during a world-wide pandemic and climate crisis. The need for locally produced and accessible food is paramount.

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

Appraisal

Whether the Proposal Satisfies National Planning Policy Requirements in Respect of One Planet Development

The proposal falls to be considered under national policy on One Planet Development in the countryside that is contained in Planning Policy Wales Edition 11 (PPW) and Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities. Practice Guidance for One Planet Development (OPD) issued in October 2012 provides practical guidance in support of TAN 6. Whilst the Welsh Government supports the principle of low impact development it also places an emphasis on the need to ensure that it is properly controlled.

The Practice Guidance sets out the essential characteristics that all OPDs in the open countryside must have. These are that OPDs must:

- have a light touch in the environment - positively enhancing the environment wherever possible through activities on site.
- be land based - the development must provide the minimum needs of residents in terms of food, income, energy and waste assimilation in no more than five years.

- have a low ecological footprint - the development must have an initial ecological footprint of 2.4 global hectares per person or less with a clear potential to move to 1.88 global hectares per person over time - these are the ecological footprint benchmarked for OPDs over time.
- have very low carbon buildings in both construction and use.
- be defined and controlled by a binding management plan which is reviewed and updated every five years.
- be bound by a clear statement that the development will be the sole residence for the proposed occupants.

(para 1.9 One Planet Development Practice Guidance)

The proposal will also be assessed against the relevant LDP policies, namely Policies GP1 (Sustainability and High Quality Design), TR2 (Location of Development – Transport Considerations), TR3 (Highways in Development – Design Consideration) and EQ 4 (Biodiversity).

A Management Plan (MP) and Ecological Footprint Analysis (EFA) has been provided and this has been prepared by the applicants setting out how they intend to comply with the OPD requirements. The MP focuses on such issues as the Design/Strategy, Business and Improvement Plan, Energy and Water, Waste, Zero Carbon Buildings, Community Impact Assessment, Transport Assessment and Travel Plan, Ecological Footprint Analysis. As noted above, the MP, that is the principle document that informs the consideration of the proposal, has been assessed on behalf of the Council by TPG. TPG also conducted an interview with the applicant and carried out a site visit in June 2021 as part of their appraisal.

Paragraph 2.20 of the OPD Guidance states that 2.20 states that: Overall, One Planet Development in the open countryside should fulfil the essential characteristics of One Planet Development (para 1.9) in ways that benefit rural Wales. The final decision will be a matter of whether the proposed development clearly meets the essential criteria for OPD. The contributory criteria can provide further support to the overall case for an OPD proposal.

The following section of the report will provide further detail of the applicants' proposals against the relevant criteria as set out in the OPD guidance.

Business and Improvement Plan

The OPD guidance describes how the Business and Improvement Plan is the core element of the overall MP as it provides the fundamental justification for the development.

The essential criteria are that:

- The minimum food needs of all households are met from produce grown and / or reared on the site or purchased using income derived from other products grown and reared on the site.
- The basic domestic needs of all households are met from income derived from produce grown and reared on the site, including processing and adding value, and other income streams derived from the productive and regenerative capacity of the site, such as from

training and education courses, or consultancy directly linked to land based activities on the site. These latter activities should be clearly subsidiary to the primary activity of growing and rearing produce.

- The number of occupants is directly related to the ability of the site to support their minimum food and income needs and the number of people needed to run the site effectively.

For income, the OPD guidance states that the site needs to generate enough income to pay for basic requirements of all the residents on site which the site is unable to provide directly e.g., clothes, travel, IT, Council tax and food not provided on site. The applicants have provided detailed breakdown and information regarding their minimum financial and food needs. The minimum financial needs of the applicants are stated to be £7,686 which has been assessed by TPG who consider the figure has been calculated correctly and takes into account the cost of any animal feeds and external inputs required for the land-based businesses.

For food, the OPD guidance requires that most of the food needs of all the residents on the site should come from the site (grown and reared) or be purchased using income derived from other products grown or reared on the site. The applicants have provided a breakdown of their food consumption as it is currently and how it may change upon occupation on site. The applicants explain that they are intending to meet 59% of their food needs direct from produce grown/reared on site with the remaining £1960 required to meet their food needs being paid for by the proceeds of land-based activities and forming part of the financial minimum needs.

In terms of how the applicants propose to meet their minimum financial and food needs, the principle income generating activity from the site would be through intensive horticultural activities. These would comprise vegetable, herb and fruit growing and supplemented by the production of free-range eggs. An appraisal of the business plan components has been carried out by TPG and based on the information provided it is concluded that the production is likely to provide sufficient surplus to provide for the domestic needs of the applicants across a range of food groups.

The applicants own two small shops which provide secure markets for the produce they will produce and the proposed sales figures in the MP, informed by current sales through the shops, indicates that it is likely that the applicants could generate a sufficient income from the land to provide for their minimum financial needs. The costs of external inputs into some of their income streams, e.g., herb, flower and plant sales and poultry feed, has also been addressed in the MP.

TPG conducted a sensitivity analysis of the income potential at year five considering issues that may arise in respect of the anticipated fruit income. Even if the proposed fruit income and proposed income from herb and flower plant sales were each reduced by 50% then the business plan would still be likely to generate £10,015 which would exceed the applicants' stated minimum financial needs.

The proposal is for a single household OPD. The information submitted in support of the application, comprising the minimum needs appraisal and business plan, is considered to demonstrate that the plot is of sufficient size to support the applicants' domestic and OPD business needs. In addition, the applicants have calculated that the on-site OPD activities as requiring a labour input of up to 65 hours per week within the Management Plan. The

applicants' have detailed how they will input the labour required with time left over for unforeseen tasks. The applicants have also confirmed that the site will be their sole residence.

Considering the above and based on the information submitted with the application the above criteria are considered to be met.

Land Management

The essential criteria are that:

- All existing semi-natural and other important habitats on the site are conserved and enhanced through appropriate traditional management.
- All cultural heritage features (e.g. archaeology) on the site are conserved and enhanced through appropriate management.
- The landscape of the site is enhanced by the addition and traditional management of characteristic or once characteristic local landscape features that, amongst other things, may be used to screen and filter views to built elements of the proposals and to provide shelter and screening to horticultural areas.
- Buildings and other structures and access tracks are located where they can be recessed into the landscape and do not stand out in views from public vantage points.

An Ecological Survey has been submitted in support of the application which concludes that there is scope for the development to work with the current ecological interest at the site and does not present a significant ecological risk to habitats or species in the area. Natural Resources Wales and the planning ecologist raise no objection to the proposals if conditions are included concerning external lighting and any tree felling to safeguard bat habitat. Enhancement measures are also proposed including the creation of a pond, new hedge bank and tree planting.

There are no cultural heritage features on or near the site and therefore the essential criterion is satisfied in this regard.

The existing hedges surrounding the site are to be retained and an orchard, meadow and woodland are to be introduced on the land. The Council's landscape officer has been consulted and finds that the proposed development would not result in adverse impacts to the landscape. Much of the proposed development, access tracks and horticultural areas would be sited on lower parts of the site and to benefit most from natural screening by the existing hedgerows and topography.

Based on the information provided the proposal complies with the relevant criteria of the guidance.

Energy and Water

The essential criteria are that:

Energy

- The energy needs of the site will be minimised through suitable design and use of technology, including that which enables re-use.
- All of the energy needs of all activities shall be met from sources of renewable energy on site, with the exception of small amounts of non-renewable fuel for particular uses for which they are best suited and justifiable (para 3.60).

The applicants have presented a SAP calculation of their proposed dwelling which details the anticipated energy requirement for heating and hot water (11,131 kWh per year) which is to be generated from biomass. The appraisal of the MP by TPG concludes that, based on the information provided in the application in terms of the proposed coppice provision, hedgerow management and bartering arrangement with a nearby woodland owner, and following a site visit that there would be sufficient fuel wood resources available to meet the household energy needs. The applicants' electricity needs are proposed to be met by a 4.5kWp of PV array which is estimated to generate an average of 3.5kWh per day in winter which combined with 9.7 kWh of battery storage the appraisal of the MP again concludes is adequate to meet the applicant's electrical energy needs.

Based on the information provided the proposal complies with the relevant criteria of the guidance.

Water

- The water needs of the site will be minimised through suitable design and use of technology, including that which enables re-use.
- Rainwater harvesting from buildings and structures must be maximised.
- All of the water needs of all activities should be met from water available on site unless there is a more environmentally sustainable alternative. Abstraction from water bodies (including groundwater sources) must be at levels that do not cause environmental harm. Harm would result from the lowering of surface and ground water levels.

The MP details how water needs will be minimised, including collection of roof water and channelling to the proposed pond or harvesting tanks for storage. The MP also proposes that domestic water will be provided from mains via a water connection to an existing main as agreed with Dwr Cymru/Welsh Water (DCWW). The site is not considered to be suitable for a borehole due to risks from contamination from a nearby intensive livestock unit. OPD guidance states that in the case of a site where groundwater is deemed of unacceptable quality and there is no other readily available water on site and the water needs of the site are minimised, a water mains connection may be accepted.

The applicants have provided some additional information which he has obtained from DWCC following concerns raised from local residents regarding how an additional water connection would affect neighbouring properties supply and water pressure given the stated existing problems. The information obtained comprises a plan which details the water mains supplying properties in the area. The applicants highlight that there is 1 inch water main providing water to third party properties which is likely to be impacting on water pressure to those properties. Therefore, based on the additional information provided it would not appear that the proposal to connect to the mains sewer would affect neighbouring

properties. The applicant has also provided additional information in respect of concern raised by a third party as to the impact of the proposals on an existing well. Based on the information and clarification provided by the applicant it would not appear that the proposals would give rise to any impacts or disturbance of the existing well.

Based on the information provided the proposal complies with the relevant criteria of the guidance.

Waste

- All biodegradable waste produced on site is assimilated on site in environmentally sustainable ways.
- The only exception to this is occasional off-site disposal of small non-biodegradable amounts of waste which cannot be assimilated on site which arise from things used on site wearing out or breaking irreparably.
- All waste handling and assimilation on site must comply with Environment Agency guidelines.

The MP details how domestic food waste, human waste and animal manures are all able to be processed on site via composting systems and green waste from growing food by feeding to livestock if appropriate. Grey water from the dwelling will be subject to treatment via a vertical flow reedbed before passing to the pond which is considered to be in line with the OPD guidance. It is stated that waste handling and assimilation on site will comply with NRW guidelines, and any waste will if appropriate enter local waste disposal or recycling streams, and any surplus items taken to charity shops. Based on the information provided the proposal complies with the relevant criteria of the guidance.

Concern has been raised from third parties that any human waste piles would create smells and attract flies. The applicant has responded to this objection to advise that he is aware that stockpiling any human waste in the open is a criminal offence and provides clarification that any arisings from the compost toilet system would be held in watertight sealed containers i.e. wheelie bins until the waste has rotted sufficiently to become harmless to be used on the land. It is therefore not considered that the proposed compost toilet system would give rise to any adverse impact on residential amenity of neighbouring properties.

Zero Carbon Buildings

The essential criteria are that:

- Domestic and ancillary buildings will be 'zero carbon' in construction and using the up to date Welsh definition of zero carbon;
- Proposals will identify which structures require Building Regulations approval and is obtained either before or during construction;
- All structures identified for removal in the Exit Strategy are capable of removal with low environmental impact.

The MP follows the approach set out in the OPD guidance to demonstrate that the dwelling will meet the requirement of zero carbon in construction. To achieve zero carbon in construction criteria at least 4 elements of the construction e.g., the roofs, external walls, internal walls, floors, or windows, should achieve a rating of A+ or A6, using the assessments of materials published in the BRE Green Guide to specification or clearly demonstrating similar attributes for materials without a recognised published rating, as is the case of this development. The submitted SAP calculation documents demonstrate that the proposed dwelling would be zero carbon in use with annual carbon emissions of -1.35 tonnes per year. The proposed ancillary buildings are to be constructed using locally available natural, recycled, and on-site materials and will be unheated and are therefore also considered to be zero carbon.

The MP identifies that the dwelling will require Building Regulations approval, whereas the ancillary buildings would not. Once Building Regulations approval has been obtained, that would need to be provided as part of any future monitoring report.

The ancillary buildings proposed are considered to be capable of being removed from the site within minimal difficulty and impact. The dwelling, which would be supported on screw pile foundations, is also considered capable of removal from site with the surrounding structure able to be dismantled and removed from the site or composted.

Community Impact Assessment

The essential criteria are that:

- There is a thorough assessment of all impacts of the proposal on neighbouring communities. One Planet Development in the open countryside should not impact negatively on neighbouring communities.
- Any negative impacts are mitigated.

The applicants have outlined in their Management Plan how they have engaged with residents regarding their intentions during and following the purchase of the land. They provide their intention to invite the local community to visit the OPD site once established to learn about increasing biodiversity and environmental awareness. The submitted MP and information identifies the positive impacts in terms of being able to provide locally grown produce for customers. The MP also discusses the potential negative impacts of the development, such as the visual and traffic impacts and explains how negative impacts are intended to be mitigated. The assessment provided is considered to comply with the criteria as set out in the OPD guidance.

Transport Assessment and Travel Plan

The essential criteria are that:

- The management plan must be accompanied by a Transport Assessment and Travel Plan (which may be combined).
- Overall the development should achieve a significant reduction in transport impacts from all activities on site (residents, enterprises and visitors) in comparison to what would be the 'norm' for such activities.

- There should be detailed monitoring of all trips to and from the site in terms of purposes, distances, modes, and any transport sharing.

In accordance with the practice guidance, the applicants have provided a transport assessment within the submitted MP. It gives calculations of journey numbers for the journey types anticipated including trips for domestic purposes, business purposes and trips made by visitors to the site. Further clarification and information has also been sought, particularly in respect of the relationship between the OPD and the applicants' existing zero waste shops in Narberth and Cardigan (open 6 days a week) where it is intended, they would sell produce from their OPD site. The impact of the off-site businesses in terms of travel impacts, the applicants' ecological footprint and the ability of the applicants to sustain both the OPD site and the shops in terms of labour requirements has raised particular concern and are discussed further below.

The applicants are required to travel to their shops in Narberth and Cardigan daily during the working week (6 days). The applicants present their assessment of trips in the same way as the Office for National Statistics (ONS) which define a trip as a one-way journey hence it is predicted that the applicant would make two trips per day over 275 days. This results in 550 trips per year to the shops. The applicants propose to combine these trips to their shops where possible with shopping and other domestic needs trips.

The mileage related to the transportation of fresh goods to the shops is therefore as follows:

To Narbeth 137 days in a year = 274 trips @ 7 miles = 1,918 miles/yr

To Cardigan 138 days in a year = 276 trips @ 18.8 miles = 5,189 miles/yr

Total mileage (assumed in van) per year = 7,108 miles.

TPG has carried out an appraisal of the applicants' transport assessment drawing comparison with Department for Transport (Dft) statistics. They conclude that the business mileage of the applicants would be between 27% to 55% of the average whilst the domestic mileage would be between 35% to 53% of the average. They concluded that the allocation of the delivery mileage (i.e., the transport of produce to the applicants' zero waste shops) was reasonable and the domestic mileage presented by the applicants would be acceptable given that the domestic activities would still generate less than average transport impacts. Visitors to the site will add some transport impacts as set out in the MP but these will be reduced as far as possible and the OPD is still likely to generate less than 69% of the average number of car trips. In addition, the MP monitoring arrangements would be required to record all transport mileage and trip numbers by all modes of travel and enable the LPA to consider the overall impacts of the OPD over time and take action should they be unacceptable.

In terms of the vehicles that the applicants' currently own and use to undertake their trips these are a Fiat 500 car mostly used for domestic travel and a Volkswagen T5 van mostly used for the applicants' business deliveries. The ownership of vehicles is not an issue for the OPD guidance but how they are used and accounting for all mileage, distributed between business and domestic use, is.

The information provided is therefore considered to comply with the required criteria of the OPD guidance in terms of transport impacts.

Ecological Footprint Analysis (EFA)

The OPD guidance requires applicants to use the OPD EFA tool to assess the domestic and subsistence activities of the OPD household. In the case of this OPD, the applicants' have utilised the OPD EFA tool to examine their probable ecological footprint upon first habitation on the site in addition to providing data for their current consumption. TPG has assessed the applicants' ecological footprint data provided using an updated version of the OPD EFA Tool (There were minor errors in the original tool which have been corrected but this version has yet to be released by the Welsh Government).

The results of the analysis show the following:

Current per capita Ecological Footprint of the household living off site – 3.36gha

The estimated footprint on first habitation to be reduced at 2.19 gha

The estimated footprint at year 5 – to be 2.12 gha

Based on this analysis the project would result in a per capita Ecological Footprint of less than 2.4gha as required by the OPD guidance.

In terms of the relationship between the on site OPD activity and the applicant's zero waste shops, in line with established footprinting practice the impacts of the business activities of OPD's are "owned" by the consumers of the business's products and services and therefore the EFA analysis requires potential OPD residents to differentiate between their own domestic/household consumption and that of any business that they run. Therefore, the applicants' zero waste shops are a customer of the OPD enterprise and therefore independent from it, meaning that the footprint components of the business activities do not accrue to the domestic footprint of the applicants. In addition, and as set out in the transport impact section above, the delivery mileage for business activities associated with the shops is found to be lower than average and the running of the shops would not increase the domestic mileage of the applicants unacceptably.

Phasing, Monitoring and Exit Strategy

The Management Plan contains a programme of works along with a monitoring and exit strategy.

The applicants' programme for implementing states that the "OPD will be fully established" by year 5 and that all the essential criteria for OPD will be achieved by this time. The requirements of the OPD guidance in this respect are therefore considered to be satisfied.

The MP states that "full monitoring will be carried out continuously" and that "an annual report will be submitted based on the criteria detailed in section 5.7 of the guidance which provides a monitoring template clearly setting out the monitoring information required. The monitoring proposed is therefore considered acceptable in accordance with the guidance.

The exit strategy section of the MP is clear and states that should the project fail to meet the criteria for an OPD then the applicants will remove the OPD structures and return the site to agricultural use. This includes the removal of the dwelling and the ancillary structures on site any other elements and how they could be removed. The exit strategy is therefore considered to accord with the guidance.

Other Planning and Material Considerations

Impact on the Character and Appearance of the Area

Concerns have been raised by objectors that the site is a greenfield site which contradicts with “eco ethos” and sustainability and sets a precedent for similar developments. Concern has also been raised that the design is intrusive and would be in keeping with the area.

Whereas planning policy usually seeks to strictly control most developments in the open countryside, Welsh Government’s OPD policy is an exception based on the low or positive environmental impacts that must be demonstrated and the fact that it must have countryside location in order to be possible. In terms of the “eco ethos” and sustainability of the development proposal this has been addressed in the appraisal of the submitted MP in the preceding sections of the report.

In terms of the impacts of the proposed development on the character and appearance of the area and landscape this has also been addressed to a degree in earlier sections of the report. The proposed buildings and structures to be constructed on site are detailed on the submitted block plan, elevation and floor plans and the application is supported by a Landscape and Visual Impact Assessment. The surrounding area is characterised by smallholdings and scattered dwellings and the main built development subject to this application is proposed to be concentrated in the lower parts of the site where it would benefit from the screening provided by the existing hedgerows and topography surrounding the site. The proposal’s relatively concealed location also means that it is unable to be readily viewed from the wider area. Furthermore, additional planting in the form of trees, shrubs and woodland is proposed as part of the development and this will ensure that the proposal further enhances the landscape as the development becomes established.

The proposed structures are modest in scale, with the largest and tallest of the proposed buildings, the dwelling, to be no more than 5m in height. The materials and appearance of the proposed buildings would not appear at odds with the countryside location.

On balance, it is considered that the proposed dwelling and ancillary buildings are acceptable in terms of their scale and design and would have an acceptable impact on the character and appearance of the area.

Residential Amenity Impacts

There are existing detached dwellings and smallholdings scattered around the site. The distance maintained between the existing dwellings and the proposed development is such that it is not considered that overlooking is an issue nor is the physical impact of the proposal upon the amenity of the occupiers of neighbouring dwellings. As such it is considered that the proposal would accord with Policy GP1 having regard to residential amenity.

Transportation and Highway Safety

The application site has two existing accesses. The Head of Highways and Transportation has responded to consultation with no objection to the proposal.

Conditions are recommended, including a condition requiring the provision of a visibility splay at the site access. The conditions will be included to ensure the access is acceptable having regard to highway safety. The proposal is therefore considered to accord with Policies TR3 and TR4 of the LDP.

Ecology

The application is supported by an Ecological Survey Report by Wyndrush Wild Ecology dated 14th August 2020.

The survey report concludes that the development does not present a significant ecological risk to habitats or species in the area. NRW has been consulted and initially raised concern that the proposals would result in the loss of trees, but this has since been clarified by the applicant in correspondence. NRW and the council's planning ecologist therefore has no objection to the proposals subject to the imposition of conditions concerning any impact on trees and also site lighting. These conditions will be included in any planning permission.

As such, provided submitted ecological survey report are adhered to it is considered that the scheme would comply with Policy EQ4 in respect of biodiversity.

Other Matters Not Addressed Elsewhere in the Report

Three representations have been received objecting to the proposed development. Most concerns raised by objectors have been addressed in the preceding paragraphs of the report.

Attention is drawn to a planning application which was refused at a nearby location however it is not considered that this has any relevance to this proposal and each application is considered on its own merits.

In terms of the management of the flock of chickens, concern is raised that the method of management goes against the "eco" ethos. Based on the information submitted it is indicated that the chickens would be free range and there is nothing to indicate that the livestock management proposed by the applicants would not comply with OPD guidance.

Planning Obligations

The application is subject to a Section 106 agreement to tie the dwelling to the land and include a commitment that the dwelling will be the sole residence of the occupants.

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

The proposed development complies with Technical Advice Note 6: Planning for Sustainable Rural Communities (2010) and the accompanying One Planet Development Practice Guidance and policies GP1, TR3, EQ4, EQ5, of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the proposal is supported by sufficient information to demonstrate that there is a strong prospect that the proposal would meet the One Planet Development criteria within the required timescales. The proposal would not have a detrimental impact upon the character and appearance of the area and would not result in an unacceptable impact on residential amenity or highways safety. The application includes various proposals to improve the site's environment and biodiversity and the submitted information indicates that the development would achieve an acceptable ecological footprint (global hectares per person) that would accord with the One Planet Development policy and practice guidance documents. The proposal is therefore recommended for approval subject to the following conditions and subject to the completion of a Section 106 agreement as detailed in earlier in the report.

Recommendation – Approval

Conditions and Reasons

Condition 1

The development hereby approved 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:-

- 1:2500 Scale Location Plan received 1st September 2021;
- 1:1000 Scale Site Plan received 1st September 2021;
- 1:500 Scale Block Plan received 1st September 2021;
- 1:2500 Scale Local Topography Plan received 1st September 2021;
- 1:100 Temporary Dwelling Floor Plan and Elevations received 1st September 2021;
- 1:100 Proposed Dwelling North and South Elevations received 10th November 2020;
- 1:100 Proposed Dwelling East and West Elevations received 10th November 2020;
- 1:100 Scale Proposed Dwelling Ground Floor Plan received 1st September 2021;
- 1:100 Scale Proposed Dwelling First Floor Mezzanine Plan received 10th November 2020;
- 1:100 Scale Goat House Proposed Floor Plan and Elevations received 1st September 2021;
- 1:100 Scale Elevations – Hide, Machinery Shed and Workshop, Compost Toilet, Shipping Container received 1st September 2021;
- Greenhouse and Polytunnel Details received 1st September 2021;
- One Planet Development Management Plan received 1st September 2021;

- Ecological Footprint Calculator received 1st September 2021;
- Landscape and Visual Impact Assessment received 1st September 2021;
- Preliminary Ecological Assessment received 1st September 2021;
- Drainage Impact Assessment received 1st September 2021.

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

Condition 3

The development hereby approved shall be carried out in full accordance with the management objectives (including the objectives, phasing and monitoring requirements) as set out in the One Planet Development Management Plan received 1st September 2021.

Reason: To ensure commitment and compliance with the objectives of TAN6 and the One Planet Development Practice Guidance and to avoid the creation of an unencumbered dwellinghouse in the open countryside contrary to national and local planning policies.

Condition 4

No later than 1 April each year, commencing in the second year after development commences, the occupiers of the site shall submit to the Local Planning Authority an Annual Monitoring Report giving details of the activities carried out during the previous calendar year (1 January to 31 December), setting out performance against the One Planet Development essential criteria as stated within the One Planet Development Management Plan received 1st September 2021. Where the report identifies that the expected performance targets against any of the essential criteria has not been met, the report shall also set out corrective or mitigating measures sufficient to address the identified deficiencies in performance no later than 31st October that year. Those measures shall be implemented, in full and within the timescales stated, as set out in the report and shall form the basis of assessment, along with the original One Planet Development Management Plan for the subsequent Annual Monitoring Report.

Reason: To ensure commitment and compliance with the objectives of TAN6 and the One Planet Development Practice Guidance and to avoid the creation of an unencumbered dwellinghouse in the open countryside contrary to national and local planning policies.

Condition 5

The temporary accommodation hereby approved as detailed on the 1:100 Temporary Dwelling Floor Plan and Elevations and the 1:500 Scale Block Plan received 1st September 2021 shall cease residential use immediately upon first occupation of the main dwelling or before the expiration of 5 years from the date of this permission, whichever is the sooner. Thereafter the building shall only be used for the purposes of storage and workshop space in conjunction with the One Planet Development hereby approved.

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

Condition 6

Prior to the installation of any 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 Light in

Professionals, 2018), shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details.

Reason: In the interests of biodiversity.

Condition 7

No development with the potential to impact on bats that may be roosting in trees on site shall commence until a pre-construction bat survey has been carried out. A preliminary bat roost inspection for trees should be undertaken to assess their potential to support roosting bats. For any trees categorised as having moderate to high potential for supporting bats, further surveys (climbing inspections and/or activity surveys) will be required in accordance with best practice. If the survey confirms the presence of bats 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 potential presence of bats is confirmed prior to construction and where necessary remedial measures are implemented for their protection.

Condition 8

The existing hedgerows to the site boundary with the public highway shall be protected through all construction phase operations and thereafter retained, and maintained at a minimum height of 2.5 metres, for the lifetime of the approved development. Prior to any management works to the boundary hedgerows 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 be implemented as the approved method statement. Any existing hedgerows or part thereof, 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 hedgerows 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.

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 9

Non-native evergreen species shall not be used in the planting of visual screening or shelterbelts at the site.

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

Condition 10

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

Reason: In the interest of highway safety.

Condition 11

Any access gates shall be set back a minimum distance of 6.0 metres from the highway boundary, and shall open inwards into the site only.

Reason: In the interest of highway safety.

Condition 12

Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 70 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access 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 13

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

Reason: In the interest of highway safety.

Condition 14

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 15

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 interest of highway safety.

Condition 16

The agricultural access shall be hard surfaced in a bonded material for a minimum distance of 6.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

Reason: In the interest of highway safety.

Notes/Informatives

Note 1

This permission is subject to the clauses set out in the Section 106 Agreement that ties the dwelling to the land to ensure that the proposal complies with the requirements of the One Planet Development Policy and Practice Guidance documents and avoids the creation of an unencumbered dwelling in the open countryside contrary to national and local planning policies.

Note 2

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

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

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

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

Note 3

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

Application No	PL/02848
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Application Type	Full Planning
Proposal & Location	PROPOSED FULL PLANNING APPLICATION FOR DEVELOPMENT OF RESIDENTIAL HOMES, HIGHWAYS ACCESS, PARKING, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE WORKS AT LAND SOUTH OF ERW'R BRENHINOEDD, LLANDYBIE, AMMANFORD, SA18 2TQ

Applicant(s)	IAN THOMAS CONSTRUCTION SERVICES AND BRO MYRDDIN HOUSING
Agent	LIAM GRIFFITHS – ASBRI PLANNING LIMITED
Case Officer	Andrew Francis
Ward	Llandybie
Date registered	15/10/2021

Reason for Committee

This application is being reported to the Planning Committee as the application has received more than five letters of objection. In addition, both Local Members have requested that the application be considered by the Planning Committee.

Site

The application site comprises a currently vacant parcel of land located at the southern end of the existing modern Erw'r Brenhinoedd residential site in the village of Llandybie. The site comprises a broadly rectangular and generally flat plot of land measuring approximately 92 metres in depth with a maximum width of 71 metres, with a total area measuring some 0.82 hectares. The site is bounded to the west by the Ammanford to Llandeilo trainline, with the Llandybie Station serving this line situated approximately 140 metres to the north west. A sewage pumping station is sited to the north east of the proposed site, within a strip of land that runs parallel along the eastern edge of the application site, within the applicant's ownership. The land towards the south starts to rise.

The application site, along with the residential development to the north was all part of the former Wellfield Engineering Works. Indeed, the current application site was intended to be the third phase of the overall Erw'r Brenhinoedd development, gaining permission for 22 dwellings in 2011 under reference E/15577. This was to be styled similarly to the existing phases of the Erw'r Brenhinoedd estate. A technical start was made on that development and by virtue of planning law, this ensured that the permission could remain extant in

perpetuity. From this history, the site has been fairly recently cleared, but some vegetation has started to grow back. As such, from the previous industrial use, some ecological interest has started to reclaim the site, with the southern boundary marked by the start of broad leafed woodland.

Vehicular access to the site is presently through the existing Erw'r Brenhinoedd estate road, into the centre of the proposed site. This single access is to be retained to serve the proposed development.

The application site is located within a predominantly residential area, accessed off Kings' Road, close to Llandybie Train Station and the village centre, situated approximately 300 metres to the north west. By virtue of this location, the application site has good public transport links, with the aforementioned train station and bus stops in the village which also has a number of services and amenities. The modern residential dwellings of the Erw'r Brenhinoedd site comprise typically of two storey dwellings with a mixture of house types. The finishes all tend to be uniform however, with rendered walls, face brick details and concrete tile roofs.

The application site is specifically allocated within the Carmarthenshire adopted Local Development Plan (LDP) for housing under allocation GA3/H30 for 22 dwellings.

Proposal

The application seeks full planning permission for residential development of 24 dwellings at the site along with associated access, car parking, landscaping and infrastructure works. The proposal involves the residential units to be built as semi-detached pairs, either side and at the end of the broadly central access road. The dwellings proposed are all to be affordable, with 20 proposed to be provided for social rent, and the remaining 4 to be provided for low cost home ownership. The residential units are to be a mix of 2 person 1 bed units up to 7 person 4 bed units.

The proposed development is made up of the following house types:-

- 4no 1 bed units 2 person @ 51 and 57 m² (plots 3,4,5 & 6);
- 2no 2 bed units 3 person @ 60 m² (plots 1 & 2);
- 10no 2 bed units 4 person @ 86 m² (plots 7-10, 17-24);
- 2no 4 bed units 7 person @ 124 m² (plots 11 & 12);
- 4no 3 bed units 5 person @ 96 m² (plots 13-16).

Of the above plots 23 & 24 of the 2 bed 4 person units and plots 15 & 16 of the 3 bed 5 person units are to be offered for Low Cost Home Ownership (LCHO).

The layout seeks to maximise the available space to ensure that the proposed units are provided with both the residential units and garden spaces that meet the provide the Development Quality Requirements (DQR) standards that all social housing must meet. As such, the site is proposed to be served by a central roadway, ending in a 'T' piece turning head, and shared private drive serving plots 11-16. The access into the application site is to be via the existing access point that is a continuation of the existing Erw'r Brenhinoedd estate road, which was built to modern highway standards and intended to lead to a phase 3 development of 22 dwellings. The Sustainable Drainage System (SUDS) attenuation is shown on the submitted plans as being in the western corner of the plot adjacent to plot 1.

There is an existing sewage pumping station situated to the north east of the site, situated behind proposed plots 23-24, accessed off the existing Erw'r Brenhinoedd site road.

Each building is to appear as a pair of dwellings sited off the proposed road, though the 1 bed units whilst looking like a pair of dwellings will accommodate 4 units, with 1 unit occupying each floor. Each residential unit is to be provided with its own dedicated parking provision to the required highway standards, with the 1 bed units having 1 space each, the 2 bed units having 2 spaces each and the 3 and 4 bed units having 3 spaces each, with the parking proposed in front of the buildings in almost all cases. Similarly, all units are to have private amenity space in the form of gardens. The rear gardens vary in depth from 5.6 metres to 20.3 metres. Strangely, it is the largest dwellings, the 4 and 3 bed units, that have the smallest rear gardens and highest plot ratio of building to plot area. Another potential anomaly is that the dwellings proposed close to the railway line also have shallow gardens, whilst the dwellings on the opposite side of the road have the longest gardens, despite not having the potential amenity concern of the trainline.

All of the proposed units are two storey, except plots 1 and 2 (2 bed, 3 person) which is to be a bungalow type dwelling. In terms of their external finish, the whole development seeks to be consistent so propose a grey face brick plinth, with white smooth rendered walls, grey interlocking tiles to the roof, with grey uPVC windows, doors and rainwater goods. Eight panel solar units are also proposed on the roof pitches most optimal to receive the sunlight. The Planning, Design and Access Statement indicates that the materials proposed are modern whilst also ensuring that the development is in keeping with the character and context of the existing dwellings of Erw'r Brenhinoedd which is stated as being predominantly two storeys, with a mix of light colour smooth render and red brick, dark tile roofing and white uPVC windows and doors.

In terms of landscaping, it is intended to utilise the existing site features where possible. This is easiest along the site's eastern boundary where the existing mature trees and vegetation are to be retained for the most part, on the rise of the embankment. Starting on the site's southern boundary, 7 trees are to be removed, as recommended by the tree survey, whilst a further 6 are proposed to be removed along the site's western edge. The proposed landscaping scheme involves a detailed planting schedule including a number of semi mature trees, shrubs and a native hedgerow. A retaining wall is required to be built around the site's south eastern corner and along its western boundary.

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

- Planning, Design & Access Statement;
- Geoenvironmental Report;
- Arboricultural Report;
- Coal Mining Risk Assessment;
- Environmental Noise Assessment;
- Preliminary Ecological Report;
- Precautionary Sensitive Vegetation Strategy;
- Pre-Application Consultation (PAC) Report.

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 site is at high risk of surface water flooding which has been considered as part of the overall drainage strategy and will form part of the separate SAB Application.

The application is supported by a Preliminary Ecological Report and Precautionary Sensitive Vegetation Strategy. The Preliminary Ecological Report, taking into account the site's previous industrial past, presents its findings from a combination of desk and field studies undertaken at the site. The majority of the site comprises of disturbed land colonised in areas by gorse scrub and species poor marshy grassland containing drainage ditches and short lived water bodies. Defunct hedgerows, treelines and running ditches/streams bordered the boundaries of the site, with an area of broadleaf woodland occupying an area at the north-eastern extent of the site. Generally, the site has low intrinsic ecological value and the grassland which is to be removed has limited botanical diversity. It is noted however that the grassland, scrub, short lived water bodies & ditches and streams, boundary treelines, hedgerow and broadleaf woodland copse are likely to be utilised by a variety of species such as birds, foraging and commuting mammals and small, isolated populations of reptiles and as such, are considered to have ecological interest in a local context. The deciduous woodland, hedgerow and streams could potentially be listed as Section 7 Habitats on the Environment (Wales) Act 2016 and are intended to be retained with appropriate buffers to prevent degradation.

As this application is defined as a 'Major' Application, in accordance with Part 1A of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, all major developments are required to be subject to a Pre-Application Consultation (PAC) process, prior to the submission of the application to the LPA. The process involves the applicant or their agent(s) carrying out publicity before the submission of the application, consulting with relevant consultees before the submission of the application and involves the duty to respond to the above pre-application consultation. This information along with other details of the application are then presented in the PAC Report, which is a thorough examination of this process.

As with the consultation responses received as part of the planning application, it found a similar pattern of concerns and sought to address them or proceed based on the expert guidance received, shaping, where required, the submitted application.

Planning Site History

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

E/35062	Modification of Section 106 Agreement on E/15577 - Requesting modification to payment schedule for commuted sum	Pending
E/15577	22 dwelling houses Full Granted	29 July 2011
P6/4768/79	Extension to Canteen at Wellfield Engineering Works, Kings Road, Llandybie, Ammanford Approved	29 March 1979
P6/4907/79	Shot blasting and dust arrestor plan at Wellfield Engineering, Riverside Works, Kings Road, Llandybie, Ammanford Permission Granted	03 April 1960

Planning Policy

In the context of the Authority's current Development Plan the site is located within the Development Limits of Llandybie and is allocated for residential use in the adopted Local Development Plan (LDP) under reference GA3/H30 for 22 dwellings. 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 – No objection subject to conditions.

Head of Public Protection - No objection subject to condition.

Environmental Health - Noise – Standard response and guidance issued.

Environmental Health - Contaminated Land – No objection subject to the recommendations of the report being adhered to.

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

Llandybie Community Council – Raises concerns with the potential increase in traffic through the existing housing development. Many existing homes have small children and the current road layout doesn't lend itself to HGV delivery vehicles. Road safety is the concern. The site leads out onto Kings' Road which passes over a narrow river bridge with no pavements and then narrow village roads with cars parked on both sides. The development will bring an even higher volume of traffic. Increasing from 22 to 24 is a concern.

Local Member(s) – Councillor W A Davies and Councillor D Nicholas both object to the proposal. The points of objection are summarised as follows:-

- Highways – the route through the existing site is narrow and unsuitable, as is the junction onto Kings' Road. Church Street and Campbell Road are not suited to accommodating HGV's either.
- The proposed development would be of a different character compared to the existing housing site, in terms of layout, finishes and designs.
- Despite the existing permission, due to the passage of time, this scheme is wholly inappropriate compared to the current site and the community that has established there. They should not have to put up with the noise, dust, site traffic and heightened risk to pedestrians from heavy vehicle usage.

Both Local Members request a Site Visit by the Planning Committee to see the issue for themselves.

Senedd Member – C Campbell - Asks that concerns received relating to the following are addressed fully as part of the application:-

- The number of parking spaces meet national guidelines;
- Construction traffic can safely access the development site;
- Disposal of storm water;
- Disposal of all legacy harmful waste on site;
- All ecological assessments have been carried out as slow worms have been spotted on the site.

Natural Resources Wales – No objection to the application.

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

The Coal Authority – No objection to the application.

Planning Ecology – Based on the information submitted, have recommended a holding objection subject to the submission of further information.

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

Summary of Public Representations

The application was the subject of notification by way of Site Notices posted in the vicinity of the site and publication in the local newspaper.

Eight representations have been received from seven separate addresses, objecting to the proposed development. The comments received are summarised below and split into broad reasons. These will be discussed within the 'Discussion' section:

Highways

- The number of dwellings is not compatible with the one and only access road in and out of Erw'r Brenhinoedd, which includes two right angle bends. The increase in traffic will create a huge amount of traffic putting the safety of pedestrians, including children at jeopardy, particularly around the green, which is used by children almost all year round. This issue will spill out onto Kings' Road.
- The access problem is highlighted by the issues refuse vehicles, delivery vehicles and emergency vehicles have had reaching the rear of the site. This will likely get worse, and is a concern for emergency vehicles. Has the road layout been tracked for a refuse vehicle?
- The number of parking spaces shown is not enough to cater for the number of dwellings proposed and the number of visitors they may have. The issue will inevitably spill onto the existing estate causing more issues. The 7 person dwelling only has 3 spaces!
- The submitted Planning Design and Access Statement (PDAS) is misleading with regard to ACCESS. It states that access is a key strength of the development site with strategic transport links located in proximity to the site. A lot is mentioned regarding public transport links but only 34 words is used to describe the one and only access road into the site which is already very busy and cannot accommodate parking for more cars. Llandybie Train Station isn't a key strategic transport link as hardly any trains call at this station anymore. It is also impossible to travel to Llandeilo in the middle of the day from Llandybie.
- The PDAS states that construction traffic is to be managed, including working hours and deliveries. For the retired people who live on this site, if this management is to be within typical office hours, this will cause disturbance for these people.
- The photos in the PDAS show the site during the day when most residents are in work. It is very different at evenings or weekends so this needs to be considered.

Character and Layout

- The layout of the proposed scheme is not in keeping with the current properties, particularly with the bungalow and flats being proposed.
- Phase 1 and 2 of Erw'r Brenhinoedd was sold on the understanding that Phase 3 would be a continuation of the same style executive dwellings. As such, the proposed scheme is not in keeping with the existing site and as a result, policy GDC2 of the UDP.

- The proposed scheme is overdevelopment in terms of density, as can be demonstrated by the number of bedrooms proposed – 91 vs 64 a 29.7% increase.
- The proposal provides insufficient amenity land.

Drainage Issues

- The site has already experienced water and sewage problems with Dwr Cymru Welsh Water being called out already this year to deal with a blockage of the sewage system. The increase in properties will only have a negative impact on this system.
- The Fire Brigade has been called out in the last year to deal with high levels of surface water that the drains could not cope with. As climate change causes more rainfall, the extra properties may make this issue worse?

Ecology Concerns

- Two trees are to be retained to the east side of the development, though it is not stated how many will be removed. This green area is much appreciated and should not be lost when green issues are so important. Potential harm to rare plants or animals and the ability to control surface water.
- Has all the spoil from the old engineering site been removed?

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

Appraisal

Principle of Development

The principle of residential development at the site has previously been accepted through the site's allocation within the Local Development Plan under Policy H1 for residential development of 22 dwellings (references. GA2/h30) following independent examination of the Plan by an Inspector.

Furthermore, as mentioned above, Members should be aware that this site currently has an extant planning permission, referenced E/15577 for 22 dwellings, which is 'Phase 3' of the existing Erw'r Brenhinoedd residential site. As a technical start has been made on that development, that permission has been safeguarded and now remains extant in perpetuity.

However, this site has not been included in the forthcoming Revised Local Development Plan 2018-2033. The Deposit Plan identifies the site as being outside the revised development limits for Llandybie.

Based on the above, and in particular the extant planning permission for 22 dwellings, it is clear that the principle of residential development of this land has not only been established, it has also been commenced. The consideration that must be made is whether the development of the 24 dwellings proposed in this application, would cause the issues and objections raised in this application to be significantly worse than they would be should the extant permission for the development for 22 dwellings continue, according to the plans approved under reference E/15577.

Highway Impacts

Highway safety concerns are the main points of objection received by all the objectors. It is important to note that Erw'r Brenhinoedd is a fairly modern housing site, built within the last 15 years or so and as such, the highway layout has been built to modern highway standards and was always intended to accommodate the traffic for the 22 dwellings proposed for 'Phase 3' of the development.

As such, with regard to the concerns raised regarding the number of dwellings proposed being incompatible with the one existing estate road, its alignment and the Kings' Road junction, these comments have been considered by the Head of Transport in the Statutory Pre-Application response and the Pre Application Consultation (PAC) response to the Agents and raise no concerns to this aspect of the proposal. The increase in the number of dwellings from 22 to 24 is considered to still be within the safe capacity of the existing site road and junction with Kings' Road.

Regarding concerns about larger vehicles reaching the rear of the site, this is due to the parking of vehicles on pavements. The current levels of parking on the pavements occurs in part as the garages approved with the existing dwellings, are counted as parking spaces for Highway's considerations. However, the occupiers of the dwellings do not choose to park their vehicles in these garages, instead choosing to park their vehicles in another convenient location, which in most cases is the pavement outside their dwelling.

This isn't a phenomenon unique to Erw'r Brenhinoedd and occurs in many modern housing sites across the country. The existing dwellings have been provided with parking spaces in line with the CSS Parking Standards applicable at the time of determination, something that will also be conditioned on the new scheme should Members recommend this be approved. These standards states that one space per bedroom should be provided up to a maximum of three spaces and with 1 visitor space per 5 units. Each parking space should be a minimum of 2.6 metres by 4.8 metres in size.

The points of objection raised regarding the submitted Design and Access Statement being misleading, with regard to the issue of access being a strength of the site, this would appear to be an issue of interpretation. The Head of Transport has advised that there is no objection to the site's location and access, whilst the fact that the site's proximity to the train station and bus stops is not in question, the services that these public transport links offer cannot be dictated to by this application and is part of the wider rural public transport issues.

With regard to the issue of construction traffic, this would form part of a Construction Management Plan, however, it would be inevitable that the development of the 22 house scheme or the 24 house scheme would involve a period of disturbance as the construction would take place. The short term amenity issues caused by this are not necessarily material planning concerns, instead it is the finished scheme and the amenity issues the scheme may cause which are the material considerations.

The Head of Transport did not object to the Statutory Pre-Application or the (PAC) and has not objected to the consultation for this application. It is advised that the existing site has been built to adoptable standards and as such, was designed to be capable of accommodating the additional phase of development of 22 dwellings and in turn, this proposed development of 24 dwellings is also considered to be capable of being accommodated by the existing site road. The proposal also provides adequate parking space in line with the current parking standards to serve the dwelling. On this basis, the

proposal is considered to comply with LDP Policies TR1 and TR2 in relation to its impact on the wider highway network and Policy TR3 relating to the design and layout of the site and access arrangements, subject to the conditions recommended.

Character and Layout

The next main points of objection relate to concerns over the character and layout of the proposed development. In the main, this relates to the concern that the extant permission for 22 dwellings is of a design and character that is similar to the existing dwellings constructed on the Erw'r Brenhinoedd site, in terms of both layout and house types. The feeling was that if 'Phase 3' was to be built, it would go ahead on those terms. The current proposed scheme for 24 dwellings shows quite different house types, with a pair of bungalows and flats, in a more regimented pattern around the site road.

In considering these summarised points, this application has to consider the scheme proposed, and consider whether the differences are unacceptable in the context of this area, based on local and national planning policies. The additional two dwellings over the number in the allocation and that in the extant permission is considered to make efficient use of land and is not considered to be overdevelopment of the site, based on the density of 30 dwellings per hectare, which is the accepted standard used in Growth Areas and is in accordance with policy H1.

As the proposed development is to be for social housing and LCHO, the Social Housing company has to meet DQR standards for the dwellings proposed and the outside spaces. As such, the existing site layout of 22 dwellings would not have been a feasible starting point for this scheme as the house types are not to DQR standards. However, the designs and external finishes of the dwellings proposed are not significantly different from the existing dwellings and remain modern with similar overall sizes, render finishes and grey roof tiles. The proposed landscaping scheme is also intended to improve the visual amenity of the site which will retain, where possible existing features and add a scheme accepted by the Authority's Landscape Officer.

The concern that inadequate amenity land has been provided is technically not accurate, given the standards that social houses have to adhere to. However, the site layout and the choices to give the largest dwellings the smallest gardens, as well as the units backing onto the train line are questionable and ideally should be amended to give the site a better balance and increase the amenity for the occupiers of the units backing onto the train line. However, as this is the scheme to be considered, the proposal does meet the guidelines set out by Social Housing and does make efficient use of land, providing 100% affordable housing in the process in a ward with an undersupply of affordable housing.

In summary, the proposal is considered to comply with the requirements of Policy GP1 in that it conforms with the character and appearance of the site and surrounding area in terms of the appearance, scale and elevation detailing.

Drainage Issues

Turning to the objections raised relating to drainage issues, they can be separated into surface water concerns and foul water concerns.

In terms of surface water concerns, the application is subject to a separate Surface Water Advisory Body (SAB) Application which looks specifically at the issues of surface water. The outcome of which is that any development subject to such applications should offer a net improvement to the surface water regime in the area. The SAB Team advise that the area is in an area at high risk of surface water flooding, but do not offer any objection to this scheme. It must be assumed that the proposed development can successfully mitigate and attenuate any surface water drainage issues at this site. It should be remembered that the previously approved scheme did not submit a SAB application as it was not a requirement. Surface water details were not as highly scrutinised at the time and it is likely that the extant permission would be more detrimental to the surface water regime in this location.

In terms of foul water, Dwr Cymru Welsh Water have been consulted and have offered no objection to this proposal. As such, they must be satisfied that the foul water infrastructure is suitable to accommodate this additional development, based on the housing allocation and extant permission.

It is considered that the proposal complies with policies EP2 and EP3 of the LDP,

Ecology and Biodiversity Concerns

With regard to the ecology concerns received from the public, the submitted Landscape Plan shows that nine trees are to be retained along the site's eastern boundary, contrary to the objector's comments made that only two trees are to be retained along this boundary. A point not made is that 13 trees are to be removed from the site's southern and western boundaries, following the tree survey. A comprehensive landscaping scheme has been proposed including 17 new trees with a trunk girth of 14-16 cm. This is in addition to a new native hedgerow and a number of shrubs. The Landscape Officer has not objected to this scheme, instead requiring conditions that the proposal is conditioned.

The Authority's Arboriculture Officer has yet to formally comment on the submitted tree survey, however based on the details and information submitted, an objection is not expected.

With regard to the concerns raised regarding the potential harm to rare plants or habitats for wildlife, the Authority's Ecology Team have considered the submitted information carefully and have requested that further information be submitted to support this scheme. There is some concern that there is a potential population of reptiles on site and that their habitat will be removed. As such, a further survey is required to consider this issue. Similarly, there is habitat on site that is suitable for amphibians and other species. As such, the enhancements proposed should be increased to include other species. Based on this information, there is a current holding objection from Planning Ecology and the scheme, as submitted does not comply with policy EQ4 or EQ5 of the LDP.

The Planning Ecology concerns have been passed onto the Agents and in turn, their ecologist who has responded with details justifying their position. Upon receipt of this, the Case Officer has provided this information to Planning Ecology for their response which is currently awaited.

Natural Resources Wales have also commented on this application with regards to ecology issues, with specific regard to dormice, bats and otters. No objection is offered, but advice is given and advises that Carmarthenshire's Planning Ecologists advise further, and is

reported above. NRW have also recommend the use of a Construction Environmental Management Plan condition.

Again, to remind Member's the extant permission could be re-commenced at any time, without such surveys and would cause the same issues to the site's ecology as both forms of development would require the application site be cleared, stripped and dug.

With regard to concerns raised over potential legacy contamination at this site, this has been looked at by the Authority's Environmental Health Team who have considered the submitted information and advise they do not object to this proposal, subject to standard conditions. As such, this point cannot be sustained.

Other Matters

In recognition of the application site's location partly within the Coal Authority Development High Risk Area, and the legacy of coal mining in the area a site investigation was undertaken. The Coal Authority have responded with no objections to the proposal.

As the scheme is for 100% affordable housing, there is to be no commuted sum requirement for affordable housing. There is a requirement to provide a commuted sum for the maintenance of Education facilities which has been calculated to be £21,000 in this instance. In terms of Parks and Open Space, there is no requirement to provide a recreation area within the development site. Instead, it is advised that a commuted sum of £59,112 is required for the maintenance of local parks and open space facilities, based on a requirement of £2463 per residential unit.

Network Rail asked whether any consideration has been made regarding the impact of the development and in particular the extra traffic upon the level crossing, near the Erw'r Brenhinoedd access onto Kings' Road. The Agent has advised that based on the extant permission and allocation in the LDP, no extra consideration has been given to the development's potential impact upon the level crossing. No further comments have been received from Network rail to date.

Planning Obligations

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

- Financial contribution towards Education - £21,000.
- Financial contribution towards parks and open space maintenance - £59,112.

These contributions are to be sought through a legal agreement via Section 106 of the Town and Country Planning Act.

Well-being of Future Generations (Wales) Act 2015

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

through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, together with the representations received to date, it is concluded on balance that, the proposal represents an acceptable form of development that will generally respect the site and the general character and appearance of the surrounding area. The site is allocated for residential development in the adopted Local Development Plan and importantly, has an extant permission for 22 dwellings. The proposed development for 24 affordable dwellings is considered to comply with the policy objectives of the Authority's adopted Local Development Plan and National Planning Policy.

The general scale, design and layout of the scheme seeks to respect the character and appearance of the surrounding area whilst generally working within the site's constraints. The development will provide a range and choice of affordable housing types and sizes, with 4 available for low cost home ownership that will be well related to the existing services and facilities in Llandybie, a ward that is currently in high demand for social housing.

The development will also secure a range of community benefits in the local area which will include a contribution to existing education facilities.

DCWW are satisfied with the drainage details, in line with new separate drainage requirements approval is required from the Authority's SAB team. The Coal Authority and the Authority's Public Health team have no objection to the development.

Planning Ecology have placed a holding objection until further information has been submitted, details which have been provided and are currently being considered. The fall-back position is also noted that the 22 dwelling scheme could be recommended tomorrow without further ecological study and this also needs to be taken into consideration.

The Head of Transport has recommended the imposition of conditions and as such, does not object to this proposal and does not support the points of objection made by the Local Members, the public or the Community Council.

In light of the information submitted in the application, plus the consideration that there is an extant permission on this site to build 22 dwellings, on balance, the recommendation is that planning permission should be granted for the proposed development, subject to the recommended conditions and community contributions being secured as outlined above.

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:-

- Site Block and Site Location Plan [10] scale 1:750, 1:1250 @ A3 received 12 October 2021;
- Proposed Site Layout Plan [01] scale 1:500 @ A3 received 12 October 2021;
- Proposed Site Layout Plan [02] scale 1:500 @ A3 received 12 October 2021;
- Proposed Site Sections Plan [09] scale 1:200, 1:750 @ A1 received 12 October 2021;
- Engineering Schematic Plan [150] scale 1:250 @ A1 received 12 October 2021;
- Soft Landscape Proposals [1125.01] scale 1:250 @ A1 received 12 October 2021;
- Proposed Floor and Elevations Plan – 2 Person 1 Bed HT [07] scale 1:50, 1:100 @ A1 received 12 October 2021;
- Proposed Floor and Elevations Plan – 3 Bed 5 Person HT [08] scale 1:50, 1:100 @ A2 received 12 October 2021;
- Proposed Floor and Elevations Plan – 7 Person 4 Bed HT [06] scale 1:50, 1:100 @ A1 received 12 October 2021;
- Proposed Floor and Elevations Plan – 4 Person 2 Bed HT [03] scale 1:50, 1:100 @ A2 received 12 October 2021;
- Proposed Ground Floor and Elevations Plan – 3 Person 2 Bed HT [05] scale 1:50 @ A1 received 12 October 2021;
- Coal Mining Risk Assessment – Terra Firma (Wales) Ltd October 2020 received 12 October 2021;
- Precautionary Sensitive Vegetation Strategy – Bay Ecology - October 2021 received 12 October 2021;
- Preliminary Ecological Report - Bay Ecology - August 2021 received 12 October 2021;
- Geo-Environmental Report – Terra Firma (Wales) Ltd. – January 2019 - received 12 October 2021;
- Environmental Noise Assessment Report – Acoustic Consultants Ltd – August 2021 received 12 October 2021;
- Arboricultural Report – ArbTS – August 2021 received 12 October 2021;
- Planning, Design and Access Statement - Asbri Planning – October 2021 received 12 October 2021;
- Pre-Application Consultation Report – Asbri Planning – October 2021 received 12 October 2021.

Reason: For the avoidance of doubt as to the extent of this permission.

Condition 3

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 4

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 5

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 6

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 interest of highway safety.

Condition 7

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

Reason: In the interest of highway safety.

Condition 8

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 interest of highway safety.

Condition 9

Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented during all stages of demolition and construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.

Reason: To ensure that the amenity of local residents/businesses is adequately protected from dust during demolition/construction.

Condition 10

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:-

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable;
- Details of site clearance; details of site construction drainage, containments areas;
- Appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
- Details and method of pipelaying;
- Protected sites: Identification of all nearby watercourses which are hydrologically linked to the protected sites, detailing the measures to be put in place to protect the environment;
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures;
- Soil Management: details of topsoil strip, storage and amelioration for re-use;
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures;
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures;
- Measures to control light spill and the conservation of dark skies;
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use;
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities;
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan;
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations;
- The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: In the interests of biodiversity and to accord with Policies EQ4 and SP14 of the Carmarthenshire Local Development Plan.

Condition 11

The Landscape Design Scheme (LDS), as defined in the following submitted documents:-

- Soft Landscape Proposals [1125.01] scale 1:250 @ A1 received 12 October 2021;
- Proposed Site Layout Plan [02] scale 1:500 @ A3 received 12 October 2021;

shall be fully implemented prior to occupation or commencement of permitted use of the development. Any existing elements retained or translocated; or new elements installed, constructed, planted or seeded in accordance with the approved scheme 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 element in relation to this planning approval is no longer delivered, shall be replaced, within six months of written notification by the local planning authority, or within in the next available planting or seeding season thereafter, with replacement elements of similar size and specification.

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

Notes/Informatives

Note 1

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

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

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

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

Note 2

The applicant/developer's attention is drawn to the requirement to enter into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of commuted sums required for this development in accordance with policy GP4 of the Carmarthenshire Local Development Plan 2014 and adopted Supplementary Planning Guidance. The commuted sums required are:

- Financial contribution towards Education - £21,000.
- Financial contribution towards parks and open space maintenance - £59,112.
- The provision of 10% onsite affordable housing.

Note 3

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

Application No	PL/02849
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Application Type	Reserved Matters
Proposal & Location	APPROVAL OF ALL RESERVED MATTERS IN RESPECT TO THE DEVELOPMENT OF NEW LIGHT INDUSTRIAL AND OFFICE BUILDINGS ON PLOT 3 INCLUDING ASSOCIATED ANCILLARY BUILDINGS/STRUCTURES, LANDSCAPING AND SUPPORTING INFRASTRUCTURE. CROSS HANDS EAST STRATEGIC EMPLOYMENT SITE, PLOT 3, CROSS HANDS

Applicant(s)	JASON JONES, HEAD OF REGENERATION, CARMARTHENSHIRE COUNTY COUNCIL
Agent	JONATHAN PRITCHARD – STRIDE TREGLOWN
Case Officer	Gary Glenister
Ward	Penygroes
Date registered	14/10/2021

Reason for Committee

This application is being reported to the Planning Committee as Carmarthenshire County Council has a financial and land ownership interest.

Site

The application site is within the Cross Hands East Strategic Employment site which is East of the village of Cross Hands and South East of the village of Gorslas.

The site is accessed off the Economic Link Road that is in the process of being developed and when complete will extend from the A48 to a point North East of Gorslas on the A476. A new distributor road has been formed through the employment site which allows good access to this site.

The site is allocated for employment use as a strategic site within the County. Outline planning permission for B1 and B8 was approved in 2012 (and extended in 2020) and subsequently the road infrastructure has been approved and built, so this is a serviced plot within an established employment site. The site is relatively flat and has been engineered to allow development.

The site is close to the Caeau Mynydd Mawr SAC, however ecological issues were resolved at outline stage and a butterfly contribution was made at that time.

There are a five dwellings to the South which are accessed via a single track lane which is beyond the site's secondary access. A recently built unit is situated to the South West on Plot 4 of the site.

The site has a minor road to the rear which is said to be used by the equestrian community to access a bridleway situated to the South East.

Proposal

The application seeks approval of reserved matters for an employment proposal totalling 2,773sqm of floorspace over three buildings along with associated car parking and landscaping.

Office and Hybrid Building (978sqm)

Set over two storeys, the building comprises up to 12 office spaces (646sqm) with collaboration space, toilets etc with the addition of four hybrid units (332sqm) which have commercial floorspace and an office. The office spaces can be combined depending on the end user, to create a flexible space.

Externally the building is in two sections, the two storey offices are proposed to be clad with grey horizontal panels and dark grey contrast panels. The hybrid units are clad with a dark grey standing seam panelling. The southern elevation has a higher degree of fenestration to take advantage of solar gain, and the roof is proposed to be covered in solar panels.

Hybrid Building (494sqm)

Six hybrid units comprising flexible workshop and office space.

Externally the building is proposed to have modern grey standing seam walls and roof with solar panels.

Light Industrial (1,301sqm)

Five Light industrial units with integral offices. These are larger more traditional industrial units. Given the nature of these units, a service yard is proposed so that there is suitable HGV access and turning which is separate from the main car park as described below.

Externally the building is proposed to have dark grey standing seam panelling walls and roof, with solar panels on the roof. The public facing elevation has the accesses and fenestration for the offices with delivery doors to the rear onto the service yard.

The design philosophy is such that the aim is to maximise energy efficiency and aim for net zero. The proposal includes units with a range of sizes to encourage start up and established businesses.

Access for cars and light commercial vehicles is proposed to the West of the site via a new junction onto the newly formed distributor road. The site is laid out with the car parking onto the main pedestrian accesses to the units with service accessing to the rears.

A secondary access for HGV is proposed to the East via the upgraded Greengrove Lane which also serves the two Plots to the East and the five residential properties.

The proposal is a joint venture between Carmarthenshire County Council and Welsh Government.

Planning Site History

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

PL/02628	Discharge of Condition 5 on W/23782 (details of screen and boundary walls and fences)	Not yet decided
W/40252	Variation of Condition no. 3 of W/23782 approved 29/11/12 (extension of time by 9 years from date of outline permission) Removal/Variation of Condition granted	15 October 2020
W/38284	Reserved Matters to Outline W/23782 - drainage (surface water and foul), earthworks plateau levels, highway design (ga, long sections, cross sections), kerbing, pavement finishes, street lighting, road markings, proposed services, proposed boardwalk Reserved Matters granted	19 July 2019
W/38440	Discharge of Condition 24 of W/33578 Discharge of condition granted	27 March 2019
W/33578	Variation of Condition no. 3 of planning permission W/23782 approved 29/11/2012 (extension of time by 5 years from date of outline permission) Variation of Condition granted	16 October 2018
W/32133	Non material amendment to W/29034 (condition 4 - drainage)	Pending
W/32131	Non material amendment to W/23782 (condition 4 – layout, condition 5 - walls & fences & condition 23 pollution control) Non Material Amendment granted	17 November 2015
W/32132	Discharge of Condition 6 of planning permission W/29034 (landscaping and updated Dormouse mitigation measures) Discharge of Condition granted	04 November 2015
E/31609	Demolition of cottage, garage and outbuildings, including substructure Demolition Notification granted	26 February 2015

W/31377	Submission of layout, appearance, landscaping, scale & access (amendment to approval of reserved matters W/30337)	Pending
W/30338	Formation of an ancillary yard to a relocated tyre fitting and vehicle maintenance depot (phase 2) Reserved Matters granted	24 September 2014
W/30337	Submission of layout, appearance, landscaping, scale and access pursuant to outline planning permission W/19918 Reserved Matters granted	24 September 2014
W/29034	The Cross Hands East SES internal access road and development plot plateaus, as shown on the application plan P 011 that accompanies this application - Reserved Matters (access and landscaping) to outline planning permission W/23782 Reserved Matters granted	17 February 2014
W/28259	A section of the Cross Hands East SES internal access road on land within and adjacent to Greengrove Lane only (Reserved Matters to outline planning permission W/23782) Reserved Matters granted	02 July 2013
E/27981	Application for Certificate of Appropriate Alternative Development - residential development Appropriate Alternative Development granted	19 June 2013
E/27980	Application for Certificate of Appropriate Alternative Development - residential or industrial, or a mix of the two uses Appropriate Alternative Development granted	20 June 2013
W/23782	Proposed development of industrial park, including the development of business and industrial units (Use Classes B1 and B8), offices, business incubator units, a hotel, a business central hub, resource centre, energy centre, central green space, parkland, roads, gateway feature, pedestrian and cycling facilities including a green link, landscaping, provision of foul and surface water drainage, attenuation ponds, services, utilities, site remediation, plus associated engineering operations. Outline granted	29 November 2012
S/23781	Proposed development of the Crosshands East Strategic Employment Site (SES) access road, comprising a new 7.3m single carriageway road, verge, footpath/cycleway, new Crosshands Business Park four arm roundabout junction, gated livestock access,	

new ghost island priority junction to the proposed SES, new simple priority junction on to Black Lion Road, new simple priority junction on to Heol Parc Mawr, ghost island priority junction at Meadows Road, footpaths, lighting, drainage, retention pond, landscaping, retaining walls, site remediation, plus associated engineering operations.

Full planning permission granted

29 November 2012

Planning Policy

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

SP1 Sustainable Places and Spaces
SP2 Climate Change
GP1 Sustainability and High Quality Design
TR3 Highways in Developments - Design Considerations
EQ4 Biodiversity
EMP2 New Employment Proposals

[Carmarthenshire Supplementary Planning Guidance](#)

Caeau Mynydd Mawr
Nature Conservation

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

Summary of Consultation Responses

Head of Transportation & Highways – Has no objection subject to the imposition of appropriate conditions.

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

Llandybie Community Council – Has no observations on the proposed development.

Local Member(s) - Councillor D Thomas has not commented to date.

Dwr Cymru/Welsh Water – Has no objection.

Natural Resources Wales – Has no objection.

Sustainable Drainage Approval Body (SAB) – An application for the sustainable drainage scheme has been received.

Public Rights of Way – Has no observations on the proposed development.

The Coal Authority – The site is not in a location defined as High Risk and therefore no further risk assessment is necessary.

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

Summary of Public Representations

The application was the subject of notification by way of 4 site notices.

1no. representation on behalf of 42 residents has been received objecting and the matters raised are summarised as follows:-

- The site has an access onto Greengrove Lane which is said to be used by the equestrian community to access the bridleway network. Equestrians have been seeking the formulisation of this route for many years in order to gain access to the wider network of equestrian routes.
- The risk to horses has not been assessed. The increase in lorries would have a detrimental impact.
- Horse riders should be considered along with pedestrians and cyclists in the provision of active routes.
- Reference is made to the wider rights of way network and country parks needing to accommodate the needs of equestrians.
- The lack of provision for equestrians is against the Well-being of Future Generations Act (2015).

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

Appraisal

The Principle of Development.

The site is part of the 'Cross Hands East' strategic development which is a key location for employment growth within the County. The site benefits from outline planning permission and this application is seeking the approval of reserved matters. The principle of development is therefore well established.

Sustainability

The proposal is for a development that aims to be net zero, which has strong sustainability credentials. Given the fact that the authority has declared a climate emergency and seeks to be net zero by 2030, this proposal seeks to provide employment opportunities within business units which fit into the wider corporate aspirations.

Highway Safety

The proposal is part of a wider scheme which has outline permission. The infrastructure has been developed and the levels of traffic likely to be generated has been assessed, therefore it is considered that this development is acceptable within the wider context. Some detailed queries were raised in respect of the Eastern access point, however these have

been resolved and the access is subject to a highway road safety audit before use. All road users will be taken account of, not just commercial vehicles using the site access.

Impact on Equestrian Route

The site has secondary access onto Greengrove Lane which has been traditionally used by the equestrian community to access a bridleway to the south west. This is not a public right of way or formal bridleway, however, has been used informally for many years and there has been a campaign to formalise this route as a bridleway. The access has been assessed in terms of its capacity to accommodate HGV vehicles, however as a non-designated route, horse riders would have the same rights as other road users and a road safety audit will be carried out before use. The rights of way section have no observations.

Comments in respect of the wider area and aspirations to increase the proportion of bridleways in the County are noted, however are outside the realm of this application.

Planning Obligations

Not Applicable – A Contribution to Caeau Mynydd Mawr was secured through the outline permission.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted, it is concluded on balance that the principle of the development has been long established and that the proposal is consistent with the strategic location in planning policy terms and the corporate aspirations of the Council in terms of economic development and sustainability.

The proposal is on a serviced plot and is not likely to have an adverse impact on the amenity of third parties or highway safety. The comments in respect of equestrian routes are noted, however the lane in question is not a bridleway and is likely to be lightly used by lorries accessing the five light industrial units.

The proposal is considered to be in accordance with the above policies and is therefore recommended for approval.

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 dated 12 October 2021:-

- 1:1250 scale Location Plan. Drawing No. 0001 Rev PL_PL05;
- 1:200 scale Hybrid Elevations. Drawing No. 0220 Rev PL_PL03;
- 1:200 scale Hybrid Ground Floor Plan. Drawing No. 0120 Rev PL_PL03;
- 1:200 scale Hybrid - Roof Plan. Drawing No. 0121 Rev PL_PL03;
- 1:200 scale Office and Hybrid Building – Elevations. Drawing No. 0210 Rev PL_PL03;
- 1:200 scale Ground and First Floor Plans. Drawing No. 0110 Rev PL_PL04;
- 1:200 scale Roof Plan. Drawing No. 0111 Rev PL_PL03;
- 1:200 scale Industrial Elevations. Drawing No. 0230 Rev PL_PL03;
- 1:200 scale Industrial Ground Floor Plan. Drawing No. 0130 Rev PL_P03;
- 1:200 scale Roof Level Plan. Drawing No. 0131 Rev PL_PL03;
- 1:250 & 1:500 scale Proposed Western Access Plan. Drawing No. 05003 Rev P01;
- 1:500 scale Swept Path Analysis – Large Car / Van. Drawing No. 05001 Rev PL01;
- 1:500 scale Site Sections Plan. Drawing No. 0003 Rev PL_PL05;
- 1:500 scale Site Elevations. Drawing No. 0240 Rev PL_05;
- 1:400 scale Proposed Drainage Layout. Drawing No. 92001 Rev P03;
- 1:2000, 1:100 & 1:20 scale Swale and Retaining Structure. Drawing No. 9408 Rev PL_PL05;
- 1:2000 & 1:20 scale Swale Location Plan & Landscape Detail. Drawing No. 9409 Rev PL_PL05;
- 1:200 scale Landscape Sections. Drawing No. 9301 Rev PL_PL05;
- 1:25 scale Typical Tree Pit Detail in Soft. Drawing No. 9405 Rev PL_PL05;
- 1:100 scale Boundary Treatment Detail Sections Plan. Drawing No. 9302 Rev PL_PL05;
- 1:10 scale Typical paving details. Drawing No. 9406 Rev PL_P05;
- 1:100 scale Boundary Treatment Detail Sections Plan. Drawing No. 9302 Rev PL_PL05;
- 1:20 scale Fence Detail Plan. Drawing No. 9403 Rev PL_PL05;
- 1:500 scale External Lighting Strategy Site Layout. Drawing No. 31000 Rev P01;
- Landscape Materials Board Planting;
- Landscape Hard Surface & Street Furniture;

and the following plans dated 26th November 2021:-

- 1:500 scale Proposed Site Plan. Drawing No. 0101 Rev PL_PL06;
- 1:250 & 1:500 scale Proposed Eastern HGV Access. Drawing No. 05004 P02;
- 1:500 scale Site Furniture Plan. Drawing No. 9190 Rev PL_PL06;
- 1:500 scale Landscape General Arrangement. Drawing No 9001 Rev PL_PL06;
- 1:200 scale Soft Landscaping Plan. Sheet 1 of 2 Drawing No. 9140 Rev PL_PL06;
- 1:200 scale Soft Landscaping Plan. Sheet 2 of 2 Drawing No. 9141 Rev PL_PL06;
- 1:500 scale Hard Landscaping Plan. Drawing No. 9160 Rev PL_PL06;
- 1:500 scale Tree Protection, Removal & Retention Plan. Drawing No. 9101 Rev PL_PL06;
- 1:500 scale Boundary Treatment Plan. Drawing No. 9180 Rev PL_PL06;
- 1:20 & 1:50 scale Landscape Excavation and Filling Plan. Drawing No. 9120 Rev PL_PL06;
- Planting Schedule SH01.

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

Condition 3

The accesses, visibility splays and service areas, 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 service areas, is to be obstructed by non-motorised vehicles.

Reason: In the interests of highway safety in accordance with Policy TR3 of the LDP.

Condition 4

Any access gates shall be set back a minimum distance of 5 metres behind the edge of the carriageway, and shall open inwards into the site only.

Reason: In the interests of highway safety in accordance with Policy TR3 of the LDP.

Condition 5

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 service area is to be obstructed by non-motorised vehicles.

Reason: In the interests of highway safety in accordance with Policy TR3 of the LDP.

Condition 6

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

Reason: In the interests of highway safety in accordance with Policy TR3 of the LDP.

Condition 7

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

Reason: In the interests of highway safety in accordance with Policy TR3 of the LDP.

Condition 8

Six months following first occupation of any of the units herewith approved, a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development, shall be submitted to and agreed in writing by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details at a timescale to be approved in writing by the Local Planning Authority

Reason: In the interests of highway safety in accordance with Policy TR3 of the LDP.

Notes/Informatives

Note 1

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

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

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

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

Note 2

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

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	S/35028
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Application Type	Outline
Proposal & Location	TWO STOREY DWELLING AT 15A BRYNCAERAU, TRIMSARAN, KIDWELLY, SA17 4DW

Applicant(s)	CATRIN REES
Case Officer	Eilian Jones
Ward	Trimsaran
Date registered	26/01/2017

Reason for Committee

This application was original considered by Planning Committee on 11/01/2018 and Members resolved to defer the application subject to a site visit. Following a site visit, the application was then referred back to Planning Committee on 20/02/2018 and Members resolved to defer the application to enable the Case Officer to discuss with the applicant the possibility of improving highway visibility. This however would require works to be carried out on third party land and then a legal agreement would need to be secured between the applicant and the neighbour to ensure that adequate visibility was provided in perpetuity. Despite the efforts of the Authority, there has been no positive resolution.

Due to the time that has elapsed since the consideration of the application by Planning Committee, several sections of the original report have been amended below to address various matters raised during the consideration of the application and as a result to changes in Planning Policy.

The original 2018 Committee report has also been reproduced at the end of this report (Appendix A) for clarity.

Site

The application site is an infill opportunity with the Bryncaerau road frontage. The site is approximately 12m wide and has a depth of approximately 60m. The site is within the development limits of Trimsaran and has houses either side. The spatial character of Bryncaerau is for houses fronting the highway with long rear gardens. There are however developments such a Maes Tomos and Argoed Crescent which wrap around to the rear, and there is a small site to the north west which utilises parts of the rear gardens of several houses.

The site has a former commercial use, however any commercial use has long since been abandoned and the building has now been substantially removed. The remains of the building is barely evident amongst the undergrowth. The site is heavily vegetated with trees and scrub.

The site has a history of refusals for residential dating back to 2006 on the basis of lack of highway visibility.

An application was withdrawn in 2015 on the basis that an ecological survey was required and it was the wrong time of year to carry out the survey work.

Proposal

The application seeks outline planning permission to establish the principle of a single dwelling on the site. The site is proposed to be laid out with the house set back in line with the neighbouring properties with a central access point to the front.

Planning Site History

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

S/32723	The construction of one conventional single storey dwelling in line with existing house building lines adjacent to the plot in traditional building materials Withdrawn	16 November 2015
S/14062	Residential property Outline planning refused	06 October 2006
S/12403	Residential property Outline planning refused	04 April 2006

Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High Quality Design
- H2 Housing within Development Limits
- AH1 Affordable Housing
- EQ4 Biodiversity
- EQ5 Corridors, Networks and Features of Distinctiveness

[Carmarthenshire Supplementary Planning Guidance](#)

- Affordable Housing
- Planning Obligations
- Nature Conservation and Biodiversity

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.

The following Paragraphs of PPW 11 are highly relevant to the proposal:

3.3: “Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.”

3.8: “Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places. This embraces the principles of ‘ecosystems services’ and sustainable management of natural resources where multiple benefits solution become an integral part of good design. In a similar manner, addressing environmental risks can make a positive contribution to environmental protection and improvement, addressing land contamination, instability and flood risk and providing for biodiversity, climate protection, improved air quality, soundscape and water resources benefits.”

3.16: “Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected.”

4.1.47: “In established urban and rural neighbourhoods, changes to the street design should be adopted to improve the street environment and promote road safety.”

6.4.5: “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.”

6.4.21: “Planning authorities must follow a step-wise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible.”

Also relevant are:

Technical Advice Note 5: Nature Conservation and Planning (2009)

Technical Advice Note 12: Design (2006)

Summary of Consultation Responses

Head of Highways and Transport – Recommends refusal on the grounds of highway safety due to visibility being substandard and requiring third party land. The severity of the

visibility shortfall is as follows. Please note that the proposed central access has been assessed as well as alternative locations for the access point, all of which fall considerably short on the required access visibility.

The Head of Highways and Transport states:-

“The site fronts the B4308 subject to a statutory speed limit of 30mph. A new vehicular access at this location requires a visibility splay of 2.4m x 43m either side of the proposed access in relation to the near edge of carriageway. Please see below the existing visibility:

Access located centrally:

West side – 17m

East side – 19m

Access located adjacent to the east boundary:

West side – 30m

East side 7m (18m if first pillar removed).

Access located adjacent to the west boundary:

West side – 13m

East side – 26m”

Trimsaran Community Council – Has not commented on the application to date.

Local Member – County Councillor K Broom has requested that the application be reported to Planning Committee due to highway-related matters.

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. No responses have been received to date.

Appraisal

Following consideration of the application by Planning Committee on 20/02/2018, the Case Officer attempted to discuss matters with the applicant regarding the possibility of improving highway visibility. This however would require works to be carried out on third party land and then a legal agreement would need to be secured between the applicant and the neighbour to ensure that adequate visibility was provided in perpetuity. Despite the efforts of the Authority, there has been no agreement reached between the interested parties, therefore highway visibility remain substandard and the proposal is considered to be detrimental to highway safety and contrary to Policies GP1 and TR3 of the adopted Local Development Plan.

The original Committee Report of 20/02/2018 also recommended refusal on ecology. A Mitigation Plan was submitted during the deferral of the application however, following consultation with the Council’s Ecologist, it lacks sufficient detail to overcome the Council’s

key concerns. Also, it does not illustrate the recommendations contained in the ecological report (which is now over 5 years old) and how such mitigation could be successfully accommodated alongside any proposed development of the site. It is therefore considered that the Ecology reason for refusal within the original report remains with also additional reference to Policy EQ5.

Finally, the original Committee Report of 20/02/2018 included a refusal reason for lack of agreement to secure a financial contribution to be made to the provision of affordable housing in the area. During the deferral of the application, a Unilateral Undertaking and Certificate of Title was submitted which appears to have been completed correctly. It is therefore considered that this reason for refusal has now been addressed to satisfy Policy AH1 of the LDP.

Planning Obligations

A legal agreement has been submitted to secure an affordable housing payment of £51.35 per square metre internal floor area, in accordance with Policy AH1 of the LDP.

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 site and its surrounding environs, it is considered that whilst there is evidence of a former commercial use, this has long since been abandoned. There is a history of refusal on the basis of lack of visibility and this is still applicable given the fact that visibility is obscured by the access pillars on both the neighbouring properties. The Head of Transport has surveyed the site and the visibility shortfall is significant as set out above. The applicant has been advised that the pillars on adjacent properties should be reduced to 1m in height, and a legal agreement with the neighbours is needed to secure this in perpetuity. The applicant however has declined to enter into discussion and provide a legal agreement.

The ecological survey report, which was conducted over 5 years ago, refers to corridors for wildlife. The submitted plan is deemed inadequate since it lacks sufficient detail to overcome the Council's key concerns and not illustrate the recommendations contained in the ecological report and how such mitigation could be successfully accommodated alongside any proposed development of the site. It is therefore considered that the Ecology reason for refusal within the original report remains.

A legal agreement has been submitted to secure an affordable housing payment of £51.35 per square metre internal floor area, in accordance with Policy AH1 of the LDP.

On balance, whilst an infill opportunity within the village, the proposal has highway safety issues and needs further ecological information, so is not considered to be in accordance with the relevant policies and therefore is recommended for refusal.

Recommendation – Refusal

Reasons for Refusal

Reason 1

The proposal is contrary to Policy GP1 “Sustainability and High Quality Design” of the Carmarthenshire Local Development Plan:-

Policy GP1 Sustainability and High Quality Design

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

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

- k) It has regard to the generation, treatment and disposal of waste.**
- l) It has regard for the safe, effective and efficient use of the transportation network;**
- m) It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;**
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.**

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

In that:

- (i) the traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road to the detriment of highway safety.**
- (ii) it appears impracticable to construct an access within the curtilage of the site which would provide sufficient visibility for vehicles emerging onto the county road to the detriment of highway safety.**

Reason 2

The proposal is contrary to Policy TR3 “Highways in Developments – Design Considerations” of the Carmarthenshire Local Development Plan:-

Policy TR3 Highways in Developments - Design Considerations

The design and layout of all development proposals will, where appropriate, be required to include:

- a) An integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport;**
- b) Suitable provision for access by public transport;**
- c) Appropriate parking and where applicable, servicing space in accordance with required standards;**
- d) Infrastructure and spaces allowing safe and easy access for those with mobility difficulties;**
- e) Required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced;**

- f) **Provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.**

Proposals which do not generate unacceptable levels of traffic on the surrounding road network and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

In that:

- (i) the traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road to the detriment of highway safety.
- (ii) it appears impracticable to construct an access within the curtilage of the site which would provide sufficient visibility for vehicles emerging onto the county road to the detriment of highway safety.

Reason 3

The proposal does not comply with Policy EQ4 "Biodiversity" of the Local Development Plan:-

Policy EQ4 Biodiversity

Proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that:

- a) **The impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements;**
- b) **There are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.**

In that insufficient information has been submitted to illustrate the recommendations contained in the ecological report produced in 2016.

Reason 4

The proposal does not comply with Policy EQ5 "Biodiversity" of the Local Development Plan:-

Proposals for development which would not adversely affect those features which contribute local distinctiveness/qualities of the County and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity will be permitted.

Proposals which include provision for the retention and appropriate management of such features will be supported (provided they conform to the policies and proposals of this plan).

In that insufficient information has been submitted to illustrate the recommendations contained in the ecological report produced in 2016.

Appendix A

Application No	S/35028
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Application Type	Outline
Proposal & Location	TWO STOREY DWELLING AT 15A BRYNCAERAU, TRIMSARAN, KIDWELLY, SA17 4DW

Applicant(s)	CATRIN REES, 8 BRYNCAERAU, TRIMSARAN, KIDWELLY, SA17 4DW
Case Officer	Gary Glenister
Ward	Trimsaran
Date of validation	26/01/2017

CONSULTATIONS

Head of Highways and Transport – Recommends refusal on the grounds of highway safety due to visibility being substandard and requiring third party land. The severity of the visibility shortfall is as follows. Please note that the proposed central access has been assessed as well as alternative locations for the access point, all of which fall considerably short on the required access visibility.

The Head of Highways and Transport states:-

“The site fronts the B4308 subject to a statutory speed limit of 30mph. A new vehicular access at this location requires a visibility splay of 2.4m x 43m either side of the proposed access in relation to the near edge of carriageway. Please see below the existing visibility:

Access located centrally:

West side – 17m

East side – 19m

Access located adjacent to the east boundary:

West side – 30m

East side 7m (18m if first pillar removed).

Access located adjacent to the west boundary:

West side – 13m

East side – 26m”

Trimsaran Community Council – Has not commented on the application to date.

Local Member – County Councillor K Broom has requested that the application be reported to Planning Committee.

Neighbours/Public – Two neighbouring properties have been consulted on the application with no responses received to date.

RELEVANT PLANNING HISTORY

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

S/32723	The construction of one conventional single storey dwelling in line with existing house building lines adjacent to the plot in traditional building materials Withdrawn	16 November 2015
S/14062	Residential property Outline planning refused	06 October 2006
S/12403	Residential property Outline planning refused	04 April 2006

APPRAISAL

THE SITE

The application site is an infill opportunity with the Bryncaerau road frontage. The site is approximately 12m wide and has a depth of approximately 60m. The site is within the development limits of Trimsaran and has houses either side. The spatial character of Bryncaerau is for houses fronting the highway with long rear gardens. There are however developments such as Maes Tomos and Argoed Crescent which wrap around to the rear, and there is a small site to the north west which utilises parts of the rear gardens of several houses.

The site has a former commercial use, however any commercial use has long since been abandoned and the building has now been substantially removed. The remains of the building is barely evident amongst the undergrowth. The site is heavily vegetated with trees and scrub.

The site has a history of refusals for residential dating back to 2006 on the basis of lack of highway visibility.

More recently, an application was withdrawn in 2015 on the basis that an ecological survey was required and it was the wrong time of year to carry out the survey work.

THE PROPOSAL

The application seeks outline planning permission to establish the principle of a single dwelling on the site. The site is proposed to be laid out with the house set back in line with the neighbouring properties with a central access point to the front.

The applicant is aware of the requirement for a unilateral undertaking in respect of the affordable housing contribution, however given the other issues, has not submitted a legal agreement to date.

PLANNING POLICY

In the context of the current development control policy framework the site is within the settlement development limits of Trimsaran as defined in the Carmarthenshire Local Development Plan (LDP) Adopted July 2006.

Policy SP1 Sustainable Places and Spaces states:-

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a) Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;
- b) Promoting, where appropriate, the efficient use of land including previously developed sites;
- c) Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;
- d) Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;
- e) Creating safe, attractive and accessible environments which contribute to people's health and wellbeing and adhere to urban design best practice;
- f) Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;
- g) Utilising sustainable construction methods where feasible;

- h) Improving social and economic wellbeing;
- i) Protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.

Policy GP1 Sustainability and High Quality Design states:-

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

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

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 9 and TAN12: Design (2016)).

Policy AH1 Affordable Housing states:-

A contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub-market areas.

Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

On Site Contributions

The affordable housing will be required to be provided on proposals of 5 or more dwellings in all settlements. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the above threshold, the Council will seek an element of affordable housing based on the affordable housing target percentages set out above.

Proposals will be required to ensure that the dwelling remains affordable for all subsequent occupants in perpetuity.

Commuted Sums

Where an open market residential site falls below the above thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq. m.).

Policy EQ4 Biodiversity states:-

Proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that:

- a) The impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements;
- b) There are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 provides the following guidance.

Paragraph 4.11.1 states: “Design is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings.”

Paragraph 4.11.2 states “Good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help to attract business and investment, promote social inclusion and improve the quality of life. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals. These objectives can be categorised into five key aspects of good design:”

Paragraph 4.11.3 states “The design principles and concepts that have been applied to these aspects should be reflected in the content of any design and access statement required to accompany certain applications for planning permission and listed building consent which are material considerations.”

Paragraph 4.11.4 states “Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and provides buildings and environments that are convenient and enjoyable to use for everyone (see Section 3.4).”

Paragraph 4.11.8 states “Good design is essential to ensure that areas, particularly those where higher density development takes place, offer high environmental quality, including open and green spaces. Landscape considerations are an integral part of the design process and can make a positive contribution to environmental protection and improvement, for example to biodiversity, climate protection, air quality and the protection of water resources.”

Paragraph 4.11.9 states “The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.”

Paragraph 2.2 of Technical Advice Note 12 Design (2016) states:-

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (2016) states:-

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

- 2.7 A holistic approach to design requires a shift in emphasis away from total reliance on prescriptive standards, which can have the effect of stifling innovation and creativity. Instead, everyone involved in the design process should focus from the outset on meeting a series of objectives of good design (Figure 1). The design response will need to ensure that these are achieved, whilst responding to local context, through the lifetime of the development (from procurement to construction through to completion and eventual use). This analysis and the vision for a scheme can be presented in a design and access statement where one is required.

CONCLUSION

After careful consideration of the site and its surrounding environs, it is considered that whilst there is evidence of a former commercial use, this has long since been abandoned. There is a history of refusal on the basis of lack of visibility and this is still applicable given the fact that visibility is obscured by the access pillars on both the neighbouring properties. The Head of Transport has surveyed the site and the visibility shortfall is significant as set out above. The applicant has been advised that the pillars on adjacent properties should be reduced to 1m in height, and a legal agreement with the neighbours is needed to secure this in perpetuity. The applicant however has declined to enter into discussion and provide a legal agreement.

The ecological survey refers to corridors for wildlife and the applicant has been asked to illustrate these on a plan, however this information has not been received.

Further, the applicant has been made aware of the requirement to submit a legal agreement to secure an affordable housing payment of £51.35 per square metre internal floor area. However, given the other issues this has not been submitted.

On balance, whilst an infill opportunity within the village, the proposal has highway safety issues and needs further ecological information and a legal agreement, so is not considered to be in accordance with the above policies and therefore is recommended for refusal.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy GP1 “Sustainability and High Quality Design” of the Carmarthenshire Local Development Plan:-

Policy GP1 Sustainability and High Quality Design

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

- a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;**
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) Utilises materials appropriate to the area within which it is located;**

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

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

In that:

- (i) the traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road to the detriment of highway safety.
- (ii) it appears impracticable to construct an access within the curtilage of the site which would provide sufficient visibility for vehicles emerging onto the county road to the detriment of highway safety.

- 2 The proposal is contrary to Policy TR3 “Highways in Developments – Design Considerations” of the Carmarthenshire Local Development Plan:-

Policy TR3 Highways in Developments - Design Considerations

The design and layout of all development proposals will, where appropriate, be required to include:

- a) **An integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport;**
- b) **Suitable provision for access by public transport;**
- c) **Appropriate parking and where applicable, servicing space in accordance with required standards;**
- d) **Infrastructure and spaces allowing safe and easy access for those with mobility difficulties;**
- e) **Required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced;**
- f) **Provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.**

Proposals which do not generate unacceptable levels of traffic on the surrounding road network and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

In that:

- (i) the traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road to the detriment of highway safety.
- (ii) it appears impracticable to construct an access within the curtilage of the site which would provide sufficient visibility for vehicles emerging onto the county road to the detriment of highway safety.

- 3 The proposal is contrary to Policy AH1 “Affordable Housing” of the Carmarthenshire Local Development Plan:-

Policy AH1 Affordable Housing

A contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford / Cross Hands sub-market areas.

Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

On Site Contributions

The affordable housing will be required to be provided on proposals of 5 or more dwellings in all settlements. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the above threshold, the Council will seek an element of affordable housing based on the affordable housing target percentages set out above.

Proposals will be required to ensure that the dwelling remains affordable for all subsequent occupants in perpetuity.

Commuted Sums

Where an open market residential site falls below the above thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq. m.).

In that the applicant has not entered into a legal agreement to provide an affordable housing contribution.

- 4 The proposal does not comply with Policy EQ4 "Biodiversity" of the Local Development Plan:-

Policy EQ4 Biodiversity

Proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that:

- a) **The impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements;**

- b) There are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.**

In that insufficient information has been submitted to illustrate the recommendations contained in the ecological report.

Application No	PL/02285
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Application Type	Full Planning
Proposal & Location	DEMOLITION OF EXISTING (PARTIALLY BUILT) STABLE BLOCK TO BE REPLACED BY A RESIDENTIAL DWELLING (LOCAL NEED) AT LAND OPPOSITE TY LILIWEN, NANTYCAWS, CARMARTHEN, SA32 8EP

Applicant(s)	SOPHIE HUNT
Agent	MR CERI DAVIES – CERI DAVIES PLANNING LIMITED
Case Officer	Paul Roberts
Ward	Llangunnor
Date registered	04/08/2021

Reason for Committee

This application is being reported to the Planning Committee upon the request of the local member, Councillor Elwyn Williams.

Site

The application consists of a rectangular parcel of land that forms part of a larger field enclosure that flanks the northern side of the C2071 to the west of the village of Nantycaws. It consists of a mix of hardstanding and overgrown areas and includes a partly constructed stable building that was granted planning permission back in 1995 and currently consists of three concrete block walls set above a concrete slab. Construction works on the stable were not completed and, as a result, the walls that were erected have since either collapsed or fallen into a poor state of disrepair. Until recently, the site was overgrown with the remains of the stable being surrounded by scrub and small trees, however, these have recently been cleared from the site.

The site has the benefit of an access track that runs contiguous with its eastern boundary and egresses onto the C2071 via a gated entrance. Its northern, eastern and southern boundaries are defined by existing trees and hedgerows with the latter providing screening from the roadway. The site has no defined western boundary separating it from the remainder of the small field enclosure of which it forms part. There are no footways fronting the site and the roadway has a wide 10 metre carriageway with a central chevron area to separate its two traffic lanes.

The site is separated from the main built form of the village on the northern side of the C0271 by a large field enclosure. The built development on the opposite southern side of the road extends further west up towards the site with these consisting of residential properties and the village chapel. There is a detached residential property opposite the site.

Proposal

Planning permission is sought for the demolition of the existing stable walls and the construction of a new local needs dwelling within the site. The dwelling is to consist of a four bedroom detached house that will be sited on the area of the existing structure and will be orientated in an easterly direction. The main house will be adjoined by a single storey side projection that will include the main kitchen and living area. The dwelling is to have a slated pitched roof and painted rendered elevations and will utilise the existing access into the site. A parking and turning area are to be provided to the front of the dwelling while the remainder of the curtilage is to consist of a mix of paved and lawned areas.

The application has been accompanied by a supporting statement which provides the background to the application. The proposal is to provide a family home for the applicants and their two young children who currently live in the parental home in the village of Llanarthne. The statement indicates that this living arrangement was to be on a temporary basis until a permanent home could be found, however, rising house prices have meant that they have found it difficult to find a suitable property within their financial means. One of the applicants was born and raised in the village of Llanarthne with the family having previously operated a nursery in Nantycaws before moving to more suitable premises in Carmarthen. The statement emphasises the applicants' established links with the community areas of both Llanarthne and Llangunnor and that the recent addition of their second child has required that they find more suitable accommodation.

The applicants suggest that the cost of available three and four bedroom properties that would meet their needs in the Llangunnor and Llanarthne would range between £280,000 and £580,000 with those available in the neighbouring communities such as Carmarthen, Nantgaredig, Abergwili and Johnstown being of a comparable level. These property prices have meant at they have been unable to secure a suitable dwelling in the local area and they therefore propose to construct a dwelling on the site that would be affordable and meet their current accommodation needs. Given the site's location outside the development limits of Nantycaws, the applicants are agreeable to the requirement to enter into a Section 106 agreement restricting the future occupancy and market value of the new dwelling to ensure it is retained as an affordable local needs dwelling.

Planning Site History

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

PRE/00048	Statutory pre-application enquiry – Proposed 3-4 bedroom dwelling Decision	28 October 2020
D4/25711	Construction of stables and barn Full planning permission	05 September 1995

Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP5 Housing
- GP1 Sustainability and High Quality Design
- AH2 Affordable Housing – Exception Sites
- TR3 Highways in Developments – Design Considerations

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

Summary of Consultation Responses

Head of Transport – Has objected to the application on the following basis:-

- The development would use an existing access which is unsuitable because there is restricted visibility along the C2071 roadway.
- The development would lead to increased pedestrian movements along a section of road with no pedestrian facilities.
- The development would cause additional crossing movements by pedestrians.

Llangunnor Community Council - No objection.

Local Member - County Councillor Elwyn Williams has requested that the application be presented to the Planning Committee if officers are minded to refuse planning permission. Councillor Williams opines that if the application is refused, the applicant would appeal the decision and that there would be a good chance that it would be granted by a planning inspector. Moreover, he suggests that planning inspectors tend not to apply Section 106 restrictions to permissions as thoroughly as officers and the granting of permission by the Committee would ensure that the correct Section 106 restrictions are applied.

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

Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice to the front of the site. No third party representations have been received to date.

Appraisal

Policy AH2 of the LDP provides the principal policy context for the proposal and permits affordable housing developments on sites immediately adjacent to the development limits of defined settlements in exceptional circumstances where they are to meet a genuine identified local need, and subject to them being in accord with a number of qualifying criteria.

The Plan defines local need as residents of the community and town council area or adjoining community and town council area whose circumstances relate to current substandard or unsatisfactory accommodation, or where they are forming a new family or leaving the parental home for the first time. The definition also applies to those with an established link with the community and town council area.

The criteria set out in the policy include the need for the proposal to represent a logical extension to the development limits and be of a scale appropriate to and in keeping with the character of the settlement (criterion a). Criteria b) and c) also require that the benefits of the initial affordability be retained for subsequent occupiers, and that the size, scale and design of the dwelling be compatible with an affordable dwelling.

It is accepted that the applicants satisfy the local need requirement set out in the Policy whereby they currently live in the adjoining community council area of Llanarthne, are forming a new family and leaving the parental home, while also having established links with Nantycaws and the Llangunnor community council area wherein the site is located. Notwithstanding this, whilst the applicants suggest that their budget to construct the new dwelling is circa £170,000 - £180,000, no information has been provided to substantiate this. Moreover, whilst they suggest that there are no properties available in the surrounding area that would be affordable and meet their requirements, a review of existing properties for sale in the local area reveals that there are currently three and four bedroom properties for sale in Carmarthen and its surrounding area such as Johnstown and Abergwili that range in prices of between £140,000 and £200,000 and which would appear to meet the applicant's residential needs and be close to their place of work in Carmarthen. No reference is made to these lower value properties in the application and no information has been provided to demonstrate why they would not meet the applicants' accommodation needs.

In terms of the requirements of criteria b) and c) of Policy AH2 relating to the scale, design and affordability of the new dwelling, the plans submitted show the new dwelling having an approximate floorspace of 216 square metres. This is significantly larger than the current Development Quality Requirement (DQR) for a 7 person, 4 bedroomed affordable home, which is set at a maximum of 114 square metres within Welsh Government guidance. The proposed dwelling is therefore almost twice the size of that recommended by Welsh Government Guidance and is not considered to be of a size, scale and design that is compatible with an affordable dwelling. Furthermore, whilst the applicants indicate that the construction of the new dwelling would be within their budget of up to £180,000, applying a conservative build cost of £1,200 per square metre would result in a cost of £260,000 to build the dwelling without taking into consideration the purchase price of the site. This cost significantly exceeds the current affordable price of £108,780 for a 4 bedroomed dwelling within the Taf Myrddin Community Network Area wherein the site is located. Whilst it is acknowledged that the build cost could potentially be reduced with help from the applicants' family who it is suggested are in the building trade, nonetheless the size, scale and overall cost of building the dwelling would not be compatible with an affordable dwelling or affordable to those on low or moderate incomes. The proposal therefore fails to comply with the requirements of criteria b) and c) of Policy AH2.

Turning to the location of the proposal, the site is located approximately 120 metres to the west of the main built form and development limit of the settlement on the northern side of the C0271, being separated from both by a large field enclosure. It does not therefore accord with the requirements of Policy AH2 in that it is not located immediately adjacent to the development limits of the settlement, nor would it represent a logical extension to the limits.

Whilst the built development and development limits of the settlement on the opposite side of the road extend further westwards towards the site, the site's isolated location on the opposite side of the road beyond the defined limits would result in a fragmented and disjointed pattern of residential development that would be harmful to the rural character and appearance of the area. It is of note that the dwelling on the opposite side of the road to the site was granted permission as a local needs dwelling back in 2010 given its location immediately adjacent to the development limits of the settlement as defined in the Authority's previous UDP, and that its development represented an acceptable extension of the existing pattern of development on the southern side of the road.

Although the site has previously had the benefit of planning permission for the construction of a stable and barn which was granted back in 1995, they have not been developed on the site. Notwithstanding this, the proposal to construct a residential dwelling on the land would introduce a development of a wholly different character and appearance to that of a stable and barn which are normally associated with rural locations by virtue of the nature of their use. The residential development of the site would, as highlighted above, be harmful to the rural character and appearance of the area.

It is noteworthy that the applicants made enquiries with officers regarding the potential to construct an opening market dwelling on the site prior to them purchasing the land, while also subsequently submitting a statutory pre-application enquiry relating to the same development. In response, the applicants were advised that there is a presumption against residential development on the site on the basis of its location outside the development limits of the settlement and, moreover, that a proposal for a local needs dwelling would not accord with the requirements of Policy AH2 on the basis of the reasons referred to above and the site's separation from the built development of the village.

Finally, members will have noted above that the Head of Transport has objected to the application on highway and pedestrian safety grounds. He's advised that the access serving the development would have insufficient visibility along the C2071, while the development would lead to increased pedestrian movements along a section of the road that has no pedestrian facilities as well as additional pedestrian movements across the wide carriageway of the road. The proposal is therefore considered to be at odds with the objectives of Policy TR3 of the LDP in that it would be detrimental to highway and pedestrian safety.

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 represents an unjustified development in the open countryside that is at odds with the policy objectives of the Local Development Plan.

The application is therefore recommended for refusal.

Recommendation – Refusal

Reasons for Refusal

Reason 1

The proposal is contrary to Policy AH2 Policy 'Affordable Housing – Exception Sites' of the adopted Carmarthenshire Local Development Plan (2014) in that the site is not located immediately adjacent to and does not represent a logical extension to the development limits of Nantycaws as defined in the Plan, and would result in a fragmented and disjointed pattern of residential development that would be harmful to the rural character and appearance of the area. Furthermore, the size, scale and design of the dwelling are not compatible with an affordable dwelling that would be available to low or moderate income groups.

Reason 2

The proposal is contrary to Policy TR3 'Highways in Development – Design Considerations' of the adopted Carmarthenshire Local Development Plan (2014) in that:-

- (i) The traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road.
- (ii) The proposed development would lead to increased pedestrian movements along a section of road with no pedestrian facilities.
- (iii) The proposed development would cause additional crossing movements by pedestrians.

Application No	PL/02533
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Application Type	Removal/Variation of a Condition
Proposal & Location	REMOVAL OF CONDITION 11 ON E/27795 (ONE RESIDENTIAL DWELLING (LOCAL NEEDS)) AT GWENLLIW, DRYSLWYN, CARMARTHEN, SA32 8RF

Applicant(s)	SIMON BRYER
Agent	MR CERI DAVIES – CERI DAVIES PLANNING LIMITED
Case Officer	Paul Roberts
Ward	Llanegwad
Date registered	02/09/2021

Reason for Committee

This application is being reported to the Planning Committee upon the request of the local member, Councillor Mansel Charles.

Site

The application site consists of a detached two storey dwelling known as Gwenlliw which forms part of a small group of dwellings located in a countryside location off the A40 some 1.5 km to the north of the village of Dryslwyn. It is located in a small cluster of six dwellings that front onto the A40 and a narrow unclassified road that runs in a north westerly direction from its junction with the A40 adjacent to the cluster. The dwelling is set at an angle between both roadways with its principal front elevation being orientated towards the narrow unclassified road. It is of a double fronted design being set back from this roadway and is accessed via a central driveway that is flanked by a landscaped front garden. It has the benefit of a large, detached garage and a modest sized rear garden, with the latter being set at an elevated level above the A40.

The dwelling was granted planning permission as a local needs dwelling under planning application E/27795 in July 2014 with the approved scheme providing four bedroom accommodation set over two floors. The attic of the property has since been converted to an additional bedroom whereby it now provides five bedroom accommodation which, the applicant confirms, extends to 204 sq. metres (excluding the detached garage).

Proposal

As indicated above, the property was granted permission as a local needs dwelling whereby it was granted as an exception to the established planning policy objective of restricting new housing development in the open countryside away from existing settlements. It accorded with the requirements of Policies H6 and H7 of the Authority's UDP which was the development plan for the County at the time the permission was issued, in that the site formed part of an existing cluster of properties and the development of the dwelling represented a logical extension to this existing built form. The applicant also demonstrated that there was a genuine need for the new dwelling for him and his family whereby they were, at the time, living in rented accommodation that was to be sold, and there was no suitable three or four bedroom property available in the local area that were affordable to them and would allow them to remain in the community area wherein they lived and worked.

The permission is the subject of a condition (condition no. 11) that restricts the occupancy of the dwelling to a person qualifying under the local need eligibility criteria contained under Policy H7 of the former UDP which have since been superseded by those contained and defined in the current LDP. The purpose of the condition is to retain the dwelling as a local needs dwelling and it is reinforced by an accompanying Section 106 agreement which the applicant entered into when the permission was granted and clearly sets out the restriction of the occupancy of the dwelling. The restriction relates to those living within the community council area or adjoining community council area who are currently residing in substandard or unsatisfactory or where they are forming a new family or leaving the parental home, or make a contribution towards the social, cultural and economic vitality of the area. It also includes those with a long standing link with the community area or those with a proven functional need to live close to their place of work or to a resident through an essential need arising from age or infirmity.

The application seeks the removal of Condition 11 of the planning permission and the discharge of the requirements of the Section 106 agreement to permit the occupation of dwelling by persons who do not meet the local need eligibility criteria set out in the LDP.

It is accompanied by a supporting statement which provides the background to the proposal and the need to remove the planning condition. The statement highlights that the dwelling was completed in 2015 and has since been occupied by the applicant and his children. It indicates that the applicant's financial situation has changed since it was constructed with reference being made to the higher than anticipated build costs and the cost of securing a mortgage for the same, as well as the breakdown in the applicant's marriage and the financial impact of the subsequent divorce.

The statement also highlights that the applicant's car garage business based in Cwrt Henri and Haverfordwest where he operated a Mazda car dealership has also ceased to trade as a result of the general decline in car sales and the impact of the covid outbreak. The applicant has since subdivided and converted the car garage buildings in Cwrt Henri to a number of business units and these are currently let out as a new business park on the site and provide the applicant with a rental income. However, the applicant indicates that the covid restrictions had a negative impact upon this proposal to create the business park by delaying the completion of the units and the rental income subsequently derived from letting them as commercial units, and that this has resulted in having to increase his borrowing to complete the work. As a result, he is not now in a financial position to pay back the mortgage and business loans associated with the dwelling and new business park and is therefore in a position whereby he is seeking to sell the dwelling.

The statement acknowledges the requirement to demonstrate that there is no longer a demand for the local needs dwelling in the locality to enable the removal of the condition and, in recognition of this, it confirms that the property has been marketed by a local estate agent for a three and a half month period prior to the submission of the application. It was firstly marketed at a value of £625,000 with this subsequently being reduced to £550,000 to reflect the local need occupancy restriction. It has since been taken off the market and whilst the property has generated significant interest, the statement confirms that no offers have been forthcoming. The statement recognises that the price at which the property is marketed should be at a considerable discount from its unencumbered valuation. Moreover, in this regard it acknowledges that the 12% reduction applied to the value of the property (from £625k to £550k) is less than the 25-30% reduction in market value that advice in TAN6 recommends should be applied to rural enterprise dwellings to reflect their occupancy restriction, and which is generally considered a useful guide as to the required reduction that should be applied to the marketing price of local needs dwellings.

Notwithstanding this, the applicant opines that applying this higher percentage reduction to the marketing value of the property would still result in a market value of in excess of £437,500 which it is suggested is markedly high for a local needs dwelling. On this basis, it is suggested that the Authority should not have granted planning permission for his dwelling in the first place suggesting that its size and current valuation take it outside the realms of affordability as a local needs dwelling and its marketing is therefore a futile exercise. With this in mind the applicant believes that the occupancy condition no longer serves a valid purpose and should therefore be removed. In requesting its removal, the applicant accepts the need to make a financial contribution towards the provision of affordable housing in the local area and is prepared to enter into a unilateral undertaking to make a contribution of £13,684.41 based upon the floor area of the dwelling. This contribution would be in lieu of the affordable housing contribution the applicant would be required to pay under the terms of the Section 106 agreement which equates to the difference between the unrestricted (without the occupancy condition) and restricted market value of the dwelling.

Planning Site History

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

E/33639	Non material amendment to E/27795 (alterations to house design) Non-Material Amendment granted	11 May 2016
E/30763	Discharge of condition 9 of planning permission E/27795 (details of boundary treatment along the A40) Discharge of Planning Condition granted	18 September 2014
E/30762	Removal of conditions 6, 7, 8 of planning permission E/27795 (Code for Sustainable Homes is no longer relevant legislation) Removal of Condition granted	18 September 2014
E/27795	One residential dwelling (local needs) Full granted S106 Signed - Local Needs	22 July 2014

Planning Policy

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

SP1 Sustainable Places and Spaces

SP5 Housing

AH3 Affordable Housing – Minor Settlement in the Open Countryside

National Planning Policy

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

Summary of Consultation Responses

Llanegwad Community Council - No objection.

Local Member - County Councillor Mansel Charles has requested that the application be presented to the Planning Committee for determination if officers are minded to refuse the application. This request is made upon the basis of the applicant's personal circumstances and his current financial situation in that he is facing the prospect of losing his home and such information should be heard and considered by the Committee.

Valuations Manager - Objects to the application on the following basis:-

- Under the terms of the covenant within the Section 106 agreement, the property must have been occupied for a minimum of 5 years from the date of its completion and it is not clear whether this has been complied with and the applicant should be asked to provide evidence in that regard.
- The applicant is required to 'adequately and properly' market the property as being available for sale to a qualifying purchaser for a period of 6 months. The Zoopla website states that the property was originally listed on 6th May 2021. The property has not therefore been marketed for the requisite period.
- The property is currently being marketed at an asking price of £550,000 that does not reflect the current value of the property subject to the restriction and is therefore unlikely to attract a qualifying purchaser. In order to properly reflect the effect of the restriction upon the value of the property, the Authority would expect it to be offered for sale at a substantial discount from its unrestricted open market value.

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

Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice to the front of the site. No third party representations have been received to date.

Appraisal

Policy AH3 of the LDP provides the policy context for the proposal in that it relates to proposals for affordable housing in the form of a single dwelling within groups of dwellings without development limits where they are to meet a genuine identified local need. The policy permits such proposals subject to certain qualifying criteria which includes, amongst others, the requirement that the benefits of the initial affordability be retained for all subsequent occupants and that the size, scale and design of the dwelling be compatible with an affordable dwelling and available to those on low or moderate incomes.

The policy is reinforced by advice contained in the Authority's Affordable Housing SPG which supports proposals for new affordable units in the countryside as an exceptions site where applicants demonstrate an identified local need for the dwelling and subject to the applicant entering into a legal agreement restricting all future sale prices to an affordable level and its occupancy to local people in housing need. It goes on to advise that should an application to remove this requirement be considered acceptable, the applicant will be required to pay a commuted payment towards affordable housing.

The applicant considers that the size and current valuation of the property take it outside the realms of affordability as a local needs dwelling. Whilst it has been marketed for a short period, it is suggested that to continue to do so at a reduced valuation of in excess of £400,000 would be a futile exercise as the value property is considered to be greater than would be attainable by a person who would qualify for consideration for affordable housing. In doing so, the applicant refers to the current median household income of residents in the Tywi community network area wherein the site is located as being £30,616 while the affordable sale price for a 4 bedroom house in this area equates to £112,796.

The covenants contained in the Section 106 agreement require that in the event that the applicant wishes to sell the property after a minimum period of occupation of 5 years, it must be marketed for a period of at least six months at an appropriate value to reflect the local needs occupancy restriction. The Authority's valuation manager has confirmed that the lower asking price of £550,000 at which the property has been marketed does not reflect the true value based upon the local needs restriction and is therefore unlikely to attract qualifying purchasers who may be looking for a property in the local area. In this regard, advice contained in Rural Enterprise Practice Guidance which accompanies TAN 6 advises that the value of any property subject to an occupancy condition will be less than its value on the open market and goes on to recommend that marketing at prices generally between 70 and 75% of their open market value would be reasonable and appropriate. Whilst this advice relates primarily to rural enterprise dwellings, nonetheless it provides a comparable guide as to an accurate value of an encumbered local needs dwelling.

The valuation manager considers the current market value of the dwelling without the occupancy restriction to be £550,000 and, on this basis, and applying the lower 25% occupancy reduction advocated in TAN 6, a reasonable valuation for the purposes of marketing the property in accordance with the requirements of the Section 106 agreement would be circa £412,500. The applicant's valuation of the encumbered dwelling at £550,000 is clearly well in excess of this and no tangible evidence has been provided to demonstrate that this valuation is appropriate or reasonable. Indeed, whilst the applicant acknowledges the advice contained in TAN 6 with regard to the impact of occupancy conditions upon market value, it was wholly disregarded in determining an appropriate price for the property when it was placed upon the market.

Whilst it is acknowledged that this valuation is well in excess of the Authority's restricted sale price of £112,796 for new four bedroom dwellings located within the Tywi community network area as referred to by the applicant, nonetheless, it does not in itself mean that there would be no potential purchasers who could afford a property of the size and value of the application dwelling, while also meeting the local need eligibility criteria and having a demonstrable need to live in the local area. By marketing the property at a value of £137,500 above what is deemed to be an appropriate price for the property and also only doing so for a short period of just three and a half months, the applicant has not made a reasonable attempt to make the property available to potential purchasers who would meet the qualifying criteria and have a need to find accommodation in the area. The short advertising period would mean that compliant purchasers may not be aware of the availability of the property and, in the event that they did see the advert, the high asking price well in excess of what is considered an appropriate value of the property would discourage them from making an offer to purchase the property or indeed enquiring as to its availability. Consequently, the applicant has failed to adequately demonstrate that there is no demand for the property as a local needs dwelling as required under the terms of the Section 106 agreement and the objectives of Policy AH3 of the LDP.

Turning to the matter of the affordable housing contribution, the Section 106 agreement requires that where the property has been properly marketed and no interest has been shown by anyone who would comply with the local needs eligibility, the applicant can then sell the property as an unrestricted dwelling subject to the payment of a financial contribution towards the provision of affordable housing to the Authority upon the completion of the sale. The level of the contribution equates to the difference between the unrestricted and restricted market value of the dwelling which, in the case of the valuation manager's abovementioned valuation of the property, would equate to a payment of £137,500. In contrast to this requirement, the applicant has offered to enter into a unilateral undertaking whereby he would make a contribution of £13,684.41 towards affordable housing in the local area based upon a calculation relating the size of the floor area of the dwelling. Whilst he indicates that his personal circumstances preclude him from paying the contribution required under the Section 106 agreement, nonetheless this does not outweigh the planning policy requirement that an appropriate level of contribution be made to the provision of affordable housing in the local area. To accept the significant reduction in the level of contribution would not only permit the applicant to renege on the terms of the original agreement and make it difficult for the Authority to resist similar requests in the future, it would also impact upon the Authority's ability to provide affordable housing in the Llanegwad ward wherein the site is located which the Authority's housing service has confirmed is an area of housing need.

The applicant acknowledges that granting permission for the removal of the condition based upon the foregoing would represent a departure from established planning policy but suggests that the personal circumstances and change in his financial situation justify this departure. Whilst officers are sympathetic to the applicant's circumstances, they do not outweigh the established planning policy requirement of controlling open market housing in the countryside. The applicant has provided insufficient evidence that there is an absence of local housing need for the dwelling that would justify the removal of the condition. Its removal together with the absence of an appropriate financial contribution towards the provision of affordable housing in the local area would be in conflict with the objectives of Policy AH3 of the LDP and the Section 106 agreement that the applicant entered into pursuant to the original planning permission granted under planning application E/27795.

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 at odds with the policy objective of the Local Development Plan of controlling open market housing in the countryside. The application is therefore recommended for refusal.

Recommendation – Refusal

Reasons for Refusal

Reason 1

The proposal is contrary to Policy AH3 Policy 'Affordable Housing – Minor Settlement in the Open Countryside' of the adopted Carmarthenshire Local Development Plan (2014) in that the applicant has provided insufficient evidence to demonstrate that there is an absence of local housing need for the dwelling and that its benefits in terms of affordability should not be retained for subsequent occupants. Moreover, the applicant has failed to provide an undertaking to pay the financial contribution towards the provision of affordable housing required under Covenant 5 of the Section 106 agreement pursuant to the planning permission granted under application E/27795.