

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Adran yr Amgylchedd**

**Report of the Head of Place
and Sustainability
Environment Department**

28/04/2022

**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:	28 APRIL 2022
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
PL/02356	Change of use of land for the siting of 5 shepherd hut pitches, associated infrastructure and ecological enhancement at Abercoran Farm, Laugharne, Carmarthen, SA33 4RD
PL/03336	Proposed 3 bedroom dwelling at land opposite Maes Y Werin, Llanboidy, Whitland, Carmarthenshire, SA34 0EL
PL/03398	Change of use of vacant land for siting a storage container at Trinity Methodist Church, Bridge Street, Kidwelly, SA17 4UU

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/02356
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Application Type	Full Planning Permission
Proposal & Location	CHANGE OF USE OF LAND FOR THE SITING OF 5 SHEPHERD HUT PITCHES, ASSOCIATED INFRASTRUCTURE AND ECOLOGICAL ENHANCEMENT AT ABERCORAN FARM, LAUGHARNE, SA33 4RD

Applicant(s)	S JOHN
Agent	GERALD BLAIN ASSOCIATES LIMITED
Case Officer	Charlotte Greves
Ward	Laugharne Township
Date registered	06/08/2021

Reason for Committee

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

Site

The application site is located at Abercoran Farm, a former working dairy farm which has diversified and now comprises an 18 acre smallholding consisting of disabled friendly holiday cottages and a variety of animals including alpacas, horses, piglets and goats. The smallholding is located in a wooded valley approximately two miles to the north east of Laugharne and the site can be accessed from Laugharne via the unclassified highway, the U6618, via an area known as Llandawke.

The application site comprises a damp and mainly rush dominated pasture located to the immediate south east of the main complex of buildings at Abercoran, with the eastern and western boundaries formed by streams to and from the Afon Corran located to the north. The field boundaries are heavily vegetated with trees and established hedgerows.

Proposal

The proposal seeks planning permission to change the use of the land to provide five shepherd's hut pitches together with associated infrastructure and ecological enhancements for the purposes of providing additional year round tourist accommodation at Abercoran Farm. The application proposes the use of the existing farm access off the U6618 together with the creation of a permeable paving grid system within the site itself to allow access and

a level area for each of the huts. The existing public rights of way which run through the site will be maintained and ecological enhancements are also proposed in the form of new hedgerows and a wildflower meadow in addition to the retention of existing trees and landscape features.

Planning Site History

PL/00904	Change of use of land for the siting of 9 holiday lodges and associated infrastructure alongside ecological mitigation and enhancement Application withdrawn	24 February 2021
W/39645	Change of use of land for the siting of 9 holiday lodges and associated infrastructure alongside ecological mitigation Full planning permission refused	9 December 2019
W/27534	Overhead lines and new poles Overhead line approval	15 January 2013
W/05906	Extensions to existing dwelling, conversion of disused outbuildings to form disabled holiday accommodation with extension Full Granted	27 May 2004

Planning Policy

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

SP1	Sustainable Places and Spaces
SP14	Protection and Enhancement of the Natural Environment
SP15	Tourism and the Visitor Economy
EMP3	Employment – Extensions and Intensification
EMP4	Farm Diversification
GP1	Sustainability and High Quality Design
TR2	Location of Development – Transport Considerations
TR3	Highways in Developments- Design Considerations
TR4	Cycling and Walking
EQ4	Biodiversity
EP1	Water Quality and Resources
TSM1	Static Caravan and Chalet Sites
TSM2	Touring Caravan and Tent Sites
TSM3	Small Scale Tourism Development in the Open Countryside

[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 Highways and Transport – No objection to the revised proposals subject to conditions.

Laugharne Township Community Council – No response received to consultation.

Local Member(s) – Cllr Jane Tremlett, Local Member for Laugharne Township, has made no comment on the application.

Natural Resources Wales – No objection.

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

Summary of Public Representations

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

Five letters have been received objecting to the development on the following grounds:

- Increased traffic on existing narrow roads;
- Highway safety impact;
- Impact on pedestrian safety;
- Impact on safety of horse riders;
- Refuse collection arrangements;

Three letters have been received in support of the development setting out their positive experiences of visiting the existing provision at Abercorran Farm.

Appraisal

Principle of the Development

In terms of the tourism policies within the LDP which may be considered relevant, Policy TSM1 is relevant to new static caravan and chalet site and specifically states such proposals will only be permitted within the development limits of a defined settlement. Similarly, Policy TSM2 is relevant to proposals for new touring caravan and tent sites and for extensions/improvements to an existing site and requires such developments to be directly related to an identified growth area, service centre, local service centre or a sustainable community which exhibits appropriate services and facilities. Policy TSM 3 is relevant to small scale tourism development in countryside locations whilst EMP 4 and EMP 3 deal with farm diversification and extensions to existing businesses.

Given the intended year round accommodation offer of the huts proposed, none of the above policies are considered to be strictly relevant in the consideration of the current proposal, nonetheless, the requirement for tourism proposals to be located within or directly related to defined settlements is clear within these policies as is the requirements for proposals to be subordinate in scale to existing uses and to not result in any adverse impacts upon the environment, amenity or landscape. It is also acknowledged that the adopted LDP policies which were formulated pre 2014, do not fully reflect the current national guidance in relation to tourism proposals. Both “Future Wales: The National Plan 2040” and the latest Planning

Policy Wales, Edition 11, which recognise the importance of the tourism sector to the rural economy.

The application site is located approximately 2 miles to the north west of the defined settlement of Laugharne, which contains a number of visitor attractions, facilities and services including bus services which provide transport to the wider County. A network of existing public rights of way run through and from the site to the wider area including to Laugharne itself. As part of the proposed development, and to address Highways and third party concerns the application includes the provision of additional passing places along the U6618 to improve the local highway network for road users and increase the width of the road at certain pinch points. A signage strategy and guest routing plan has also been provided to further improve highway safety and access to the site.

The site, a former working dairy farm, has diversified into tourism following the conversion of existing outbuildings to disabled holiday accommodation and there is therefore an existing established business already on site. Part of the tourism offer and experience at Abercoran includes a wide variety of animals kept on site, including horses, piglets, alpacas, goats and birds. The application states that the proposal would result in the creation of two full time jobs once completed. The supporting statement also highlights that the proposed additional accommodation would generate a predicted spend into the local economy of approximately £14,000 per annum. The initial ground works and build on site, together with ongoing maintenance would also generate further employment and benefits to the local area. The application site is located close to the existing buildings and holiday cottages at Abercoran and the development is considered to be of a scale compatible with its location and would not result in any adverse impacts on the landscape and character and appearance of the rural area or any adverse amenity issues.

There are no flooding issues at the site and in terms of the environmental benefits of the proposal, the applicant is proposing ecological and landscape enhancements as part of the proposal in addition to limiting tree removal, new hedge and wildflower meadow planting at the site all of which are welcomed. A condition will be included requiring that the development is carried out in accordance with the recommendations of the submitted biodiversity report in addition to a condition requiring the submission of a Landscape Design Scheme for the site.

Therefore, whilst the site is not within a settlement and does not strictly comply with the principal tourism policies of the LDP the proposal is considered to comprise an extension to an existing established tourism business which would be compatible with its location and subject to the highways improvements together with the ecological, landscape and economic benefits detailed above, it is considered that the development is acceptable having regard to the relevant LDP and national planning policies.

Highway Safety

The proposed development would utilise the existing farm access off the U6618. The proposals are considered to result in an intensification of the use of the site and access as a result of the provision of additional holiday units at the site. The proposals have been revised to address concerns raised by the Head of Highways and Transport to include the provision of two additional passing places along the U6618 to improve the width at certain points along the unclassified road, improve highway safety and accessibility of the site. The application is also supported by a Transport Assessment which has informed a routing and signage strategy for the site.

In response to consultation on the revised proposals from the applicant which detail the necessary improvements as required by Head of Highways and Transport, there are no objections to the revised proposals subject to conditions. The proposed development is therefore considered to accord with Policy GP 1 and TR 3 of the adopted Carmarthenshire LDP having regard to highway safety.

Other Matters

Public Footpaths 21/30 and 21/33, cross the proposed development site. In 2020, Carmarthenshire County Council made a Public Path Diversion Order to change the alignment of the paths to address historical obstruction issues and to accommodate the proposed development. The new routes as set out in the order required groundworks which have recently been completed and it is now intended that the Order will be confirmed and will therefore come into force. The proposal does not give rise to any concerns regarding the existing public rights of way being maintained for use and the Countryside Access team raise no objection to the development.

In addition to highway safety concerns, third party representations raise concern regarding refuse collection arrangements from the site. Whilst the applicant advises that waste that is unable to be recycled is collected weekly, given the proposed increased tourism accommodation at the site, a condition requiring a refuse management and collection plan to be submitted and approved in writing by the local planning authority will be included.

Civil matters are not a material planning consideration and therefore have not been addressed within the report.

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, along with third party objections received, it is concluded that the proposal is in accordance with the policies of the adopted Local Development Plan and is therefore put forward with a recommendation for approval subject to the following conditions.

Recommendation – Approval

Conditions and Reasons

Condition 1

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

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

Condition 2

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

- Location Plan (01B);
- Proposed Block Plan 3 Details of proposed passing places 4 and 5 (05 Rev A); received 25th March 2022;

- Vehicle Routing Plan (RP01);
- Signage Details;
- Proposed Tourist Brown Signs (SK01);
- Signage Details View 3a;
- Signage Details View 2a;
- Signage Details View 1a;
received 13th January 2022;

- Transport Note dated 15th October 2021
- Appendix A TRICS Data
received 19th October 2021

- Existing Block Plan (02)
- Proposed Block Plan 1 (03)
- Proposed Block Plan 2 (04)
- Proposed Hut Example Images
- Supporting Statement
- Protected Species and Ecological Survey
received 27th July 2021

Reason: For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 3

No development shall commence until detailed plans and specifications of the shepherd's huts hereby approved 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 the character and appearance of the area and to accord with Policies TSM3 and GP 1 of the Carmarthenshire Local Development Plan 2014.

Condition 4

No development shall take place until a Landscape Design Scheme (LDS), has been submitted to and approved in writing by the local planning authority. The scheme shall be in compliance with recommendations and relevant guidance as provided by the local planning authority. The approved scheme shall be fully implemented in the first available planting season following commencement 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 a period of 5 years of implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the 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

Condition 5

No trees with trunk/stem diameter exceeding 100 mm, measured at a height of 1.5 metres above ground level; or hedges, which are located within or on the site boundary shall be cut down, uprooted, destroyed, topped, lopped or pruned without prior approval of a Landscape Design Scheme (LDS), or specific written approval for the works by the local planning authority. Following such approval all works are to be carried out in accordance with BS3998.

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

Condition 6

The development hereby approved shall be used for holiday accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt or confusion as to the extent of the permission hereby granted and to clarify the nature of the development and avoid the creation of dwellings in the open countryside. Also in the interests of tourism, sustainable development, residential amenities and highway safety.

Condition 7

The holiday accommodation hereby approved shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year. An up to date register shall be kept at the holiday accommodation hereby approved and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason: For the avoidance of doubt or confusion as to the extent of the permission hereby granted and to clarify the nature of the development and avoid the creation of dwellings in the open countryside. Also in the interests of tourism, sustainable development, residential amenities and highway safety.

Condition 8

The proposed development hereby permitted shall be used only in so far as it forms ancillary holiday accommodation at Abercoran Farm, Laugharne, SA33 4RD, and at no time shall a separate curtilage be established or the development be let, leased, sold or otherwise disposed of as separate units of accommodation.

Reason: For the avoidance of doubt or confusion as to the extent of the permission hereby granted and to clarify the nature of the development and avoid the creation of dwellings in the open countryside. Also in the interests of tourism, sustainable development and residential amenities and highway safety.

Condition 9

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 [as amended] (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C, D, E and G shall be carried out to any part of the development hereby approved without the written permission of the local planning authority.

Reason: To exert control over the future development of the site. In the interests of visual amenity and to protect the integrity and character of the countryside. Also in the interests of residential amenity, general amenity and highway safety.

Condition 10

Prior to the first occupation of any of the units hereby approved, 2 No. passing bays, giving a carriageway width of 5.5 metres over a 10 metres linear length of the road, shall be provided within the U6618 county road, as shown the Proposed Block Plan 3 Drwg. No: 05 Rev A, Dated: 25/03/2022. The work shall be completed to the specification of the local highway authority and shall thereafter be retained, unobstructed, in perpetuity

Reason: In the interest of highway safety.

Condition 11

The development herewith approved shall be operated strictly in accordance with the approved Travel and Vehicle Routing Plan (2021-651), Dated: 14/01/2022.

Reason: In the interest of highway safety.

Condition 12

The development herewith approved shall not be occupied until a traffic management scheme and application detailing a strategy for Brown Tourism Signs directing traffic to the site in line with the approved Travel and Vehicle Routing Plan is submitted for the written approval of the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of highway safety.

Condition 13

The access 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 or turning area, is to be obstructed by non-motorised vehicles.

Reason: In the interest of highway safety

Condition 14

Prior to any use of the development herewith permitted, 5 no. car parking spaces (each measuring 2.6m x 4.8 m, hard surfaced and surface delineated), shall be made available, and thereafter maintained at all times, within the curtilage of the site. Where the layout and number of car parking spaces require separation by traffic aisles these shall be of a minimum 6.0 m width.

Reason: In the interest of highway safety.

Condition 15

Prior to first use of the development hereby approved, a refuse management and collection plan shall be submitted to and approved in writing by the authority. The development shall be carried out in accordance with the approved details.

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

Condition 16

The development shall be carried out in strict accordance with the recommendations of the Ecological and Protected Species survey received 27th July 2021.

Reason: In the interests of biodiversity.

Notes/Informatives

Note 1

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

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

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

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

Note 2

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

Note 3

Any amendment or alteration of an existing public highway in connection with a new development shall be undertaken under a Section 278 Agreement of the Highways Act 1980. It is the responsibility of the developer to request the Local Highway Authority to proceed with this agreement and the developer is advised that the total costs of entering into such an agreement, as well as the costs of undertaking any physical works on site, shall be met by him.

Note 4

The applicant may apply to the Local Authority for Brown Tourism Signs by visiting the carmarthenshire.gov.wales website.

Application No	PL/03336
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Application Type	Full Planning Permission
Proposal & Location	PROPOSED 3 BEDROOM DWELLING AT LAND OPPOSITE MAES Y WERIN, LLANBOIDY, WHITLAND, CARMARTHENSHIRE SA34 0EL

Applicant(s)	ANGHARAD DAVIES
Agent	DARREN PHILLIPS
Case Officer	Charlotte Greves
Ward	Llanboidy
Date registered	18/01/2022

Reason for Committee

This application is being reported to the Planning Committee as the applicant and agent are immediately related to a Local Member, Cllr Dorian Phillips.

Site

The application site comprises part of an agricultural field at the northern extent of and within the development limits of Llanboidy. The site is one of three plots which has previously been granted outline planning permission for the development of 3 dwellings. The time period within which to submit reserved matters has now lapsed for this consent and the outline has therefore expired.

The plot subject to this application occupies the central plot and has a hedgerow frontage immediately adjacent to the C3201 which runs centrally through the settlement of Llanboidy with dwellings occupying land either side of it. The northern most plot, which has the benefit of a recent full planning permission, is currently under construction.

The plot is rectangular in shape and is steeply sloping from north to south. The surrounding dwellings to the south of and opposite the site are characterised by bungalows within large plots and fronting the C class road. To the west of the site and beyond the dwelling to the north and development limits, comprises agricultural land.

Proposal

Full planning permission is sought for the erection of a detached three bedroom dwelling with a single storey form and first floor accommodation provided within the roofspace. The

dwelling would have a modern design with materials comprising mainly smooth painted render, together with stone porch and timber cladding, grey UPVC fenestration and a natural slate roof.

The creation of the access will require removal of a section of existing hedgerow which currently fronts the highway and will necessitate works to the adjacent sections of hedgerow in order to achieve the required visibility splays. The dwelling is set back within the site with a proposed rear garden area with a driveway access, parking and turning area at the front of the dwelling.

A small, detached garage/outbuilding is also proposed to be located set back behind the proposed dwelling and within the rear garden area.

Planning Site History

W/30921	Variation of Condition 3 on W/24976 (to extend the time period for submission of approval of Reserved Matters for a further three years) Variation of Planning Condition Granted	29 January 2015
W/24976	Siting of residential development Outline Granted	15 September 2011

Planning Policy

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

SP1 Sustainable Places and Spaces
SP3 Sustainable Distribution- Settlement Framework
GP1 Sustainability and High Quality Design
GP2 Development Limits
H2 Housing within Development Limits
AH1 Affordable Housing
TR3 Highways in Developments – Design Considerations
EP2 Pollution
EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Head of Transportation & Highways - No objection – conditions recommended.

Llanboidy Community Council - No observations received to date.

Local Member(s) – Councillor Phillips, Local Member and member of the Planning Committee, has made no prior comment.

Dwr Cymru/Welsh Water – No objection – condition recommended.

Land Drainage – SAB approval is required.

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

Summary of Public Representations

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

Appraisal

Principle of the Development

The application site is located within the development limits of Llanboidy, categorised as a sustainable community within the Local Development Plan's (LDP) settlement framework. The proposal for the development of a single dwelling within the development limits of a sustainable community is permitted in accordance with Policies H2 and GP2 of the LDP. The principle of the proposed development is therefore considered acceptable subject to detailed considerations as discussed below.

Impact on the Character and Appearance of the Area

Unlike the majority of the closest existing dwellings to the site, the dwelling is proposed to include first floor accommodation. Notwithstanding this, the main form of the dwelling would be single storey with the first floor accommodation to be provided within the roofspace and served by a combination of extended areas of glazing, dormers and rooflights.

It is acknowledged that the dwelling would be in an elevated position within the settlement as a result of the prevailing ground levels at the site, however, the dwelling would be logically sited and comprise an infill development that would not appear at odds with the character, design and appearance of surrounding properties given the proposed height and finished floor level. Furthermore, new hedgerow planting along the western boundary together the utilisation of appropriate retaining and boundary treatments as detailed on the proposed plans will further ensure that the development can be acceptably integrated with its surroundings and in relation to existing dwellings.

As such the proposed dwelling is considered acceptable in terms of its layout, scale, appearance and the relationship to existing properties within the settlement. The proposed dwelling would also utilise materials that are considered to be appropriate to the area within which it is located and as such would comply with the relevant criterion of Policy GP1 having regard to the character and appearance of the area.

Living Conditions of Neighbouring Occupiers

The proposed dwelling would be sited approximately 25m from the nearest bungalows opposite the site and similarly approximately 25m from the nearest bungalow to the south. The site is immediately adjacent to an existing dwelling under construction on the plot immediately north.

Despite the property occupying an elevated position, it is considered that the proposed layout, siting and fenestration is such that there would be no significant impact on the amenity of adjacent properties or their residents in terms of loss of privacy and overbearing impact.

An appropriate landscaping scheme in addition to the utilisation of appropriate retaining features, boundary treatments in accordance with the proposed plans will provide additional screening of the development and further safeguard the amenity of neighbouring properties.

The proposed development is considered to comply with the relevant criterion of Policy GP1 having regard to the amenity and living conditions of neighbouring occupiers.

Impact upon Highway Safety

The development would require the introduction of a new access into the site which requires the provision of a visibility splay in both directions at the access in order to meet the relevant highway safety requirements. These requirements necessitate works to the hedgerow both sides of the site frontage which the applicant has demonstrated is achievable and notice has been served on the adjoining landowners affected. The block plan also details the provision of a parking and turning area within the site which would meet the relevant highways standards.

The Head of Highways and Transportation has responded to consultation on the application and has no objections to the submitted plans subject to recommended conditions. A 1.8m wide footway has been requested across the entire site frontage in order that a continuous footway link from the existing footway to the south can be provided should the remaining plots to the south be developed at a future date. This requirement can be secured by an appropriate condition.

It is therefore considered that the proposed development complies with Policy TR3 Highways in Developments – Design Considerations.

Drainage

The application form submitted with the application states that foul water is proposed to be disposed of to the mains sewer to which Dwr Cymru/Welsh Water have not objected.

Surface water disposal is detailed on the proposed block plan as being to a soakaway which is a form of SuDs. Notwithstanding this, Land Drainage have advised that due to the construction area of the proposed development SAB approval will be required.

The proposed development is considered to accord with Policies EP2 and EP3 of the LDP.

Planning Obligations

The applicant is aware of the requirement to enter into a Unilateral Undertaking agreeing to pay the requisite commuted sum contribution to affordable housing (£77.58 per square metre of internal floorspace) 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 scheme as submitted it is concluded on balance and for the reasons set out above that the proposed development accords with the relevant planning policies. The recommendation is therefore one of approval subject to the below conditions and the applicant entering into and completing a legal agreement to secure financial contribution towards affordable housing.

In the event that the required legal agreement is not completed within 12 months from the date of the Planning Committee resolution, delegated authority is to be given to the Head of Place & Sustainability to refuse the application.

Recommendation – Approval

Conditions and Reasons

Condition 1

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

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

Condition 2

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

- Location Plan;
- Block Plan;
- Proposed Site Layout (B);
received 4th April 2022;
- Cross Sections Plan (AB08);
received 21st February 2022;
- Elevations Plan (AB07);
- Ground Floor Plan (AB05);
- First Floor Plan (AB06);
received 12th January 2022.

Reason: For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 3

No development shall take place until full details of all boundary treatments 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 and residential amenity to accord with Policy GP1 of the Local Development Plan for Carmarthenshire adopted December 2014.

Condition 4

Prior to the commencement of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the entire site frontage with the C3201 Road to the specification of the local highway authority in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Reason: In the interest of highway safety.

Condition 5

The new vehicular access shall be laid out and constructed strictly in accordance with Typical Layout No. 2 (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 6

Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.

Reason: In the interest of highway safety.

Condition 7

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

Reason: In the interest of highway safety.

Condition 8

Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 59 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 interests of highway safety.

Condition 9

The access and visibility splays 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 highway safety.

Condition 10

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 11

The access drive shall be hard surfaced in a bonded material for a minimum distance of 5.0 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.

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 to accord with Policies EP2 and EP3 of the Carmarthenshire Local Development Plan adopted December 2014.

Condition 13

Within the first planting season following initial occupation of the development hereby approved, a native species hedge shall be planted along the full extent of the planning application boundary with adjacent open countryside. The hedge shall comprise native species of suitable stock size planted at a minimum of 6 plants per linear metre, in two staggered rows into a cultivated trench of 600mm width.

Any hedge plants which, within a period of 5 years after implementation 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 hedge 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 enhances the character and appearance of the site 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

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/03398
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Application Type	Full Planning Permission
Proposal & Location	CHANGE OF USE OF VACANT LAND FOR SITING A STORAGE CONTAINER AT TRINITY METHODIST CHURCH, BRIDGE STREET, KIDWELLY, SA17 4UU

Applicant(s)	KIDWELLY TOWN COUNCIL - MR MARK STEPHENS
Case Officer	Eilian Jones
Ward	Kidwelly
Date registered	28/01/2022

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 site consists of a small parcel of green space containing trees and vegetation located at the rear, but outside the curtilage of, Trinity Methodist Church, Bridge Street, Kidwelly. The site is adjacent to the entrance to Glan yr Afon Car Park and Public Footpath 11/1 which generally follows the river from the town.

Proposal

The application seeks full planning permission for the change of use of the land to enable the siting of a container which is to be used for storage purposes.

Planning Site History

D5/5674	Garage Withdrawn	29 October 1981
D5/2985	Slipway into River Gwendraeth Refused	26 October 1978
D5/3272	Garage Refused	12 June 1978

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) (CLDP)

SP1 Sustainable Places and Spaces
SP2 Climate Change
SP3 Sustainable Distribution - Settlement Framework
SP13 Protection and Enhancement of the Built and Historic Environment
SP14 Protection and Enhancement of the Natural Environment
SP16 Community Facilities
GP1 Sustainability and High Quality Design
GP2 Development Limits
TR3 Highways in Developments – Design Considerations
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
EQ4 Biodiversity
EQ6 Special Landscape Area
EP1 Water Quality and Resources
EP2 Pollution
EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

The following guidance documents are considered relevant to the determination of this application:

[Nature Conservation and Biodiversity SPG](#)

National Planning Policy 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

Public Rights of Way Officer – Clarified that Footpath 11/1 crosses land in the same ownership as the development site, although does not appear to directly impact on the proposed development area. No objections to the proposal subject to advisory notes.

Public Protection (Contamination) – No objections to the proposal.

Ecology – No objections to the proposal subject to conditions and advisory notes.

Natural Resources Wales – Whilst the development is within Zone C2 Flood Risk Area and at flood risk within the Flood Maps for Planning, the proposal involves less vulnerable development. Due to the nature and scale of the proposal, there are no concerns regarding flood risk to third parties or flood water displacement. Concerned that the storage unit could be displaced in a flood event and advise that the container is secured to the ground to avoid it being displaced in a flood event.

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.

4 representations from different addresses were received, 4 objecting, and the matters raised are summarised as follows:

- Adverse impact on a public footpath and cycle path, including safety of its users.
- Tree works, site clearance, hardstanding and preparatory works have already taken place.
- Ground contamination.
- Other sites more suitable and no clear reason why it needs to be sited in an open space area.
- Lack of information regarding its intended purpose.
- Detrimental to ecology/biodiversity.
- Development out of character, detrimental to visual amenity and to the entrance to Glan yr Afon Local Nature Reserve.

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

Appraisal

The application seeks full planning permission for the change of use of the land to enable the siting of a container which is to be used for storage purposes. The container would measure 6.10m x 2.44m, reaching a maximum height of 2.60m.

The application has been submitted by Kidwelly Town Council's Welfare Committee who is responsible for organising the local annual carnival and it is understood from a supporting statement with the application that the purpose of the container is to store items associated with this event such as tables, chairs and related furniture. It would also be shared by the local Scouts group to store items. A statement also explains that the container was subject of a previous planning application granted in August 2020 for its siting in Parc Stephens (S/40398 refers). However, following asset transfer of land at Parc Stephens, from Carmarthenshire County Council to Kidwelly Town Council, the site used for staging the carnival was given over to extending the playground facilities with additional equipment. The Welfare Committee and the Scouts needed to find an alternative site for the container and approached Kidwelly Town Council to request the use of the Glan yr Afon site (the application site) and was subsequently agreed. The proposed location of the container would be convenient and accessible to their activities.

In planning policy terms, the site is outside but immediately adjacent to the development limits of Kidwelly. The proposal is therefore considered to be development in the countryside. Development in such areas is strictly controlled. The proposal is for B8 (storage) use which, in most instances, is not normally considered to be appropriate rural development and should otherwise be directed to urban areas, such as designated employment land.

However, it is acknowledged that the site is immediately adjacent and closely related to the development limits of Kidwelly. This is a very similar arrangement to the original location of the container approved under S/40398 in that it is located outside (in a park), but immediately adjacent to, the development limits of the Town.

The location of the site that is subject of this application has a mixed character and appearance, with the immediate surroundings sharing both urban and rural features. In this regard, the container would be seen in context of several buildings, including the nearby Church whilst also being adjacent to a relatively large public car park containing urbanised features but falling outside the development limits of the Town. It is also noted that the scale and nature of the proposal is considered to be small and minor whilst the rationale for the proposal has a public/community benefit, in that it is associated with the functioning of a public event and supports a local charitable organisation (the Scouts). The proposal could therefore be considered as a community facility that would be aligned with Policy SP16 of the LDP. The adjacent Church and the car park are also deemed to be community facilities therefore the proposed container would be compatible with the types of uses in the immediate vicinity.

It is therefore considered that the community benefit of the proposal, the small scale and nature of the proposal and its proximity to development limits, on balance, outweighs the technical conflict with normal policy requirements which seeks to protect the countryside from inappropriate forms of development. In this instance, it is considered that the proposal in principle, would not be unduly harmful or prejudicial to the character, appearance and integrity of the countryside. It is however considered prudent to impose a condition which restricts the container from being used for commercial or trade purposes.

The site is outside land recognised by the LDP as Recreation Open Space but is located in a Special Landscape Area which is a very large designation covering the estuary and surrounding land. The container would be sited on the immediate periphery of the Special Landscape Area and it has been established in this assessment that the context of the site relates to both urban and rural setting and is not entirely reflective of the wider designation. As such, it is considered that the proposal would not unduly erode the integrity and purpose of designating the wider land as a Special Landscape Area. It is also noted that the siting of the container is largely a reversible form of development whereby the land could be reinstated in the event that the container is removed.

The container would be sited in a small area of land that contains trees and vegetation. The trees are not protected by virtue of a Tree Preservation Order and are sited outside the Conservation Area. It was noted during the site visit that the site has recently been subject to tree works but these appear to have been in connection with their maintenance and general upkeep of the site rather than felling of any significant landscape features.

Representations have been received expressing concern over ecology/biodiversity. The Council's Ecologist has carefully considered the proposal and has no objections to the proposal subject to conditions and advisory notes. In this regard, given the wooded setting of the site and, it is considered reasonable to require biodiversity enhancements and to provide temporary fencing to protect the existing trees when the container is brought on site. A condition regarding the timing of any additional works to trees and vegetation is not considered reasonable since the ecological implications of this is covered by separate non-planning legislation. An advisory note would be attached to any consent informing the applicant/developer to have regard to the comments made by the Council's Ecologist and other consultees.

The container itself would not have any significant design merit but it would be robust, functional and appropriate for storage purposes. It is also deemed to be relatively small in scale being seen in context with urban buildings also trees and vegetation in the backdrop. It would be externally finished in dark green which is considered to be a subdued and

inoffensive colour and appropriate for its location and not unduly out of character with the immediate surroundings. It would not be unduly harmful to any important public views and vistas from within the conservation area and, on balance, would preserve its character and appearance.

The container would not be significantly visible from Glan yr Afon Local Nature Reserve which is approximately 230m to the west of the site. Given this distance, it is considered that the proposal would not have any direct impact upon this recreational space. Whilst access to the Nature Reserve is possible from paths adjacent to the application site, it has been established that the context is fundamentally different and does not reflect such strong rural character to result in unreasonable harm to visual amenity or to relevant countryside designations.

The proposal is set away from any immediate residential property and due to the small scale of the container and the nature of the storage use, it is considered that it would not generate any overriding residential amenity or general amenity concerns.

The site is within Zone C2 flood risk area, defined by Technical Advice Note 15. Careful consideration has been given to this aspect of the scheme which includes consultation with Natural Resources Wales who are technical experts in flooding matters. The storage use is classed as low vulnerable development and the scale and nature of the proposal is considered to be small and minor. NRW have no objections to the proposal especially with regards to flood risk to third parties and flood water displacement. NRW note that there may be concern that the container could be displaced in a flood event and recommend that the container is appropriately secured. The siting of the container would require minimal ground works, limited to minor levelling to create an appropriate space. Whilst the information associated the application indicate that the container would be placed on the ground with no pre-formed base, there would be a need to ensure that it can be appropriately secured due to the matters raised by NRW. Such works are likely to have minor impacts on the ground and adjacent trees in and around the site and it is considered that this matter could be controlled by a condition.

The site is close to Public Footpath 11/1 and concerns have been expressed during public consultation that this would be unduly affected. This resulted in the Council's Public Rights of Way Officer being consulted regarding the proposal. The Officer clarifies that the route of the Public Footpath would not be directly affected by the proposed development and therefore there is no objections to the proposal subject to advisory notes. There is a strip of tarmac immediately in-front of the site. It is understood this was concealed by incremental growth of vegetation but has recently been cleared to expose the hardstanding. This strip may provide pedestrian and cycle access but does not form part of any official route whilst the proposed container would not be sited on this hardstanding. Since the proposal would not directly affect official public paths, it is considered that the proposal would not unduly prejudice the rights of the public or their safety. The proposal does not generate any other highway related issues having acknowledged the scale, nature and intended use of the proposal and its relatively sustainable location due to the close proximity of a public car park and the town centre.

Concerns have been expressed during the public consultation that the land may be contaminated. The Head of Public Protection (Contamination Officer) has carefully examined the proposal and does not have any objections to the proposal. NRW have also not raised any concerns over groundwater pollution. It is therefore considered that the

proposal would not adversely affect public health or give rise to significant environmental concerns.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

The proposed container to be used for storage purposes is considered acceptable since it would represent a small-scale and minor development immediately adjacent to the development limits of Kidwelly and would provide a facility that would benefit the community. It is considered that these factors, on balance, outweighs the technical conflict with normal policy requirements which seeks to protect the countryside from inappropriate forms of development. Also, having regard to the context of the site, the planning history relating to the container and the limited availability of suitable alternative sites, it is considered that the proposal in this particular instance, would not be unduly harmful or prejudicial to the character, appearance and integrity of the countryside or the Special Landscape Area. It would also preserve the character and appearance of the adjacent Conservation Area and would not have any significant adverse effect upon visual amenity, residential amenity, general amenity, ecology/biodiversity or important landscape features. The proposal would not contribute to, or be unduly affected by, flood risk, nor would it give rise to any significant environmental concerns or public health issues. Furthermore, the development would not directly affect Public Footpath 11/1 or be unduly detrimental to highway/pedestrian safety.

Recommendation - Approval

Conditions and Reasons

Condition 1

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

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

Condition 2

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

- Location Plan (KTCWC/PL01)
- Block Plan (KTCWC/PA02)
received 21 January 2022

- Email received from applicant confirming dimensions of proposed container received 30 March 2022.

Reason: In the interests of visual amenity, residential amenity, general amenity, ecology/biodiversity, highway safety and for the avoidance of doubt or confusion as to the extent of the permission hereby granted – Policies SP1, SP14, GP1, EQ4, EQ6, EQ7 and TR3.

Condition 3

The container hereby approved shall solely be used for storage purposes by Kidwelly Town Council in connection with Kidwelly Carnival and by the Kidwelly Scouts Group and shall not at any time be used for commercial or trade purposes or by any other party.

Reason: To retain effective controls over the use of the development, in the interests of amenities and for the avoidance of doubt or confusion as to the extent of the permission hereby granted - Policies SP1 and GP1.

Condition 4

No development shall commence until details for securing the approved container so that it cannot be displaced during a flood event has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and completed prior to the container being brought to beneficial use. Thereafter, the container shall be kept secured as approved in perpetuity unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of safety – Policies SP1, SP2 and GP1.

Condition 5

The container hereby approved shall be externally finished in dark green BS 12-B-29 and shall be maintained as such in perpetuity unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenities – Policies SP1, SP13, GP1, EQ1 and EQ6.

Notes/Informatives

Note 1

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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

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