

**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**

28/07/2022

**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:	28/07/2022
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
W/40669	Change of use of Agricultural Outbuilding to an on-farm micro abattoir at Land Part of Little Burrows Farm, Laugharne, Carmarthen, SA33 4RS
PL/03743	Conversion of office space (Class B1) to 12no. self-contained residential flats with minor external upgrades and relocation of disabled parking bays at 5-8 Spilman Street, Carmarthen, SA31 1LE

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/40669
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Application Type	Full planning permission
Proposal	Change of use of Agricultural Outbuilding to an on-farm micro abattoir
Location	Land Part of Little Burrows Farm, Laugharne, Carmarthen, SA33 4RS

Applicant(s)	PENDINE SANDS LIMITED
Agent	EVANS BANKS PLANNING LIMITED - RICHARD BANKS
Officer	Charlotte Greves
Ward	Laugharne Township (Historical)
Date of validation	08/06/2020

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and was received prior to the recent changes in the scheme of delegation approved in February 2022.

Site

Little Burrows Farm consists of a traditional farmhouse, outbuildings and associated yard set within 46 acres (18.6 hectares) of level pasture upon the coastal plateau between the settlements of Pendine and Laugharne. The farm buildings are set to the eastern side of the holding which stretches back westwards along a single width access roadway back to the public highway being the A4066 road near Brook. The farm is located 3.3 kilometres east of Pendine, and approximately 1.5 kilometres south of the A road.

The farm buildings and surrounding land are part of a tenancy associated with nearby Westmead Farm, with the applicants having purchased the freehold of part of the holding from the Ministry of Defence who have a dedicated armament base located to the north west of the site and near West Marsh. Access to the site can therefore only be obtained via a remotely manned brick gate to the north west of the application site.

The farm house and associated buildings comprise a farm yard of modern livestock and implement sheds, together with single storey brick and stone-built long barns, previously used for agriculture. The application building consists of a long, linear stone built barn located to the south of the farmhouse.

Proposal

The proposal is for the change of use of one of the existing stone agricultural outbuildings to an on-farm micro abattoir. The development is proposed to cater only for the slaughter of livestock grazed and kept at Little Burrows. There is no importation of livestock for slaughter from elsewhere proposed. The proposal seeks to utilise the existing outbuilding floorspace of 186 sqm.

The proposed open plan layout is detailed on the submitted floor plans which illustrates the process of an animal carcass passing through the building from its northern entrance and immediate slaughter to the despatch of a packaged meat product at the southern end. Waste by-products of skins, hind and blood are proposed to be treated centrally within the building and the proposal includes waste water treatment details which form part of the application.

Planning Site History

No relevant planning history.

Planning Policy

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

GP1 Sustainability and High Quality Design
H5 Adaptation and Re-use of Rural Buildings for Residential Use
EMP4 Farm Diversification
TR3 Highways in Developments- Design Considerations
EQ4 Biodiversity
EP2 Pollution

[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

Laugharne Township Community Council – object to the proposal and their response is summarised as follows:

- There are substantial anomalies in the application which indicate that this is not an application for a micro abattoir for the slaughter and processing of animals from the farm but is a larger scale operation which intends to bring in animals from Wales or further afield.

- On 45 acres of land, should the lease be surrendered, the holding cannot supply a national and international specialist market without bringing in additional stock to slaughter.
- In order to justify a weekly trip stock would have to be brought to the farm from other locations.
- The application mentions a workforce of 5 full time members of staff which is indicative of a much larger operation.
- A larger operation has considerably more implications in terms of traffic and environmental issues such as waste disposal, noise and smell affecting the nearby communities.
- The application should include an environmental impact assessment, traffic management plan, waste disposal strategy and fuller operational details are required and given the location and people involved there should be a detailed flood assessment report and emergency evacuation strategy in place.
- Animal welfare concerns

Llanddowror and Llanmiloe Community Council – has become aware of the application and wish to express concerns regarding the development on the following grounds:

- The viability of the proposed business
- Proposed location of the development could impact on national security and local employment
- Concerned that officers do not have the full information provided to them as the location maps do not fully identify the areas concerned.

Local Member(s) – Cllr Jane Tremlett has made no observations.

Natural Resources Wales – No objection subject to conditions

Ministry of Defence (Safeguarding) – No safeguarding objections to this 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 site notice.

4 representations from 4 separate households objecting to the development have been received. A summary of the objections is listed below:

- The development is inappropriate for the location
- Concerns that development would result in increased traffic movements to and from the site
- Highway safety
- Impacts on biodiversity and the SSSI
- Pollution impacts

- Odour impacts
- Security/health and safety risk
- Flood risk
- Insufficient land available for animal grazing
- Viability of the proposed business
- Level of employment proposed
- Implications for the existing agricultural tenant

Ministry of Defence (Interests) – Also submitted an objection to the application on the following grounds:

- The implications of the proposal on the remote management of the existing security gate.
- The proposal would lead to additional pressure / employment requirement on the operation of the Brill Gate as a result of increased vehicle movements to and from the site.
- It is not clear how many vehicle movements there will be per week
- Security and health and safety risk during range operations

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

Appraisal

The main issues are considered to be whether the principle of development is considered acceptable, impact upon the character and appearance of the area, impact upon the living conditions of neighbouring residents, pollution, biodiversity and highway safety impacts.

Principle of development

The proposal refers to the re-use of a rural building for a commercial enterprise. Whilst there is no specific policy relating to the re-use of rural buildings for commercial purposes within the LDP, by default, Policy H5 which refers to the re-use of rural buildings for residential purposes seeks to ensure that other alternative uses are considered prior to the use of buildings to residential use. As such, in general there is a presumption in favour of the reuse of buildings within the countryside for commercial purposes subject to compliance with other material planning considerations. This stance is reflected in Technical Advice Note 23 : Economic Development which states that Local planning authorities are expected to adopt a positive approach to the conversion of rural buildings for business re-use (paragraph 3.2.1). Similarly, Policy EMP 4 (Farm Diversification) of the LDP supports, in particular, the conversion of existing buildings where the scale and nature of the proposed diversification is compatible and subordinate and supports the continued operation of the existing agricultural activity.

Impact upon character and appearance of the area

Policy GP1 along with the advice set out in TAN23 as stated above, seeks to ensure that proposals respect the character and appearance of the area and use buildings which are suitable for the use without major or complete reconstruction. In this particular case, the overall appearance of the building will remain largely unchanged, although the character of its use will be different. The use as described is intended to be of a small scale and nature and given the site's rural location and without requiring major works, it is not considered that

the proposal would have an unacceptable impact upon the character and appearance of the area.

Impact upon the living conditions of nearby residents

Policy GP1 along with advice set out in TAN23 requires developments to minimise impacts upon the living conditions of nearby residents and general amenity of the wider area, and that the use of suitable planning conditions can be used to control/mitigate against such impacts. In this respect, evidently from the objections received from neighbouring properties there are concerns from neighbours regarding the impact of the development on their living conditions. This mainly relates to traffic generation and odour impacts arising from the development.

In terms of traffic generation, the application advises that the use would be of a small scale and access from the highway would be via the existing gated access and under the access rights granted to them as part of their ownership. The applicant has indicated that the operation would rely on producing the meat / meat product on the farm and then taken away no more than once a week to their retailer and waste products would be transported from site no more frequently than the existing farm waste collections. Traffic movements associated with employees has also been raised as an issue by third parties and the MOD given that five employees are proposed. Further clarification has been sought in respect of the likely nature of the employment and how this will affect movements to and from the site but the applicant has clarified that most of the jobs will be sustained off site and that they envisage no more than five people on site at peak times to run the operation when slaughter is at peak times.

On balance, given the proposed limited scale of the micro abattoir, it is not considered that the increase in traffic would be so significant to warrant a refusal of the application. However, the concerns of the residents are recognised and as such, it is considered necessary to impose a condition to ensure that the use of the building is only for the slaughter of livestock grazed and kept at Little Burrows and that there is no livestock imported for slaughter.

With regards to smell, there is a recognition that the proposal would involve a degree of smell however, this is balanced against the scale of the development and its location relative to nearby residents. The nearby properties are more than 500m away from the building itself and it is considered that this distance coupled with the overall scale of the operation, would not result in such a nuisance that would justify refusal of the application.

Highway Impacts

The application site is accessed via the existing means of access to the site and concerns have been expressed regarding increased vehicle movements associated with the development. However, given the scale and nature of the intended use, that whilst there will be a slight increase in movements, namely one a week, it is not considered that this level of increase would be so significant to have an unacceptable impact on highway safety. Nevertheless, it is considered necessary to recommend conditions to ensure that the scale and nature of the development does not exceed that which has been expressed in the application submission.

Ecology and Pollution Impacts

A bat survey has been undertaken and submitted in support of the application. The bat survey has identified use of the building by bats, barn owls and nesting birds. Himalayan Balsam has also been identified as being present at the site. An Ecological Mitigation and Enhancement Plan has been submitted which sets out the mitigation and enhancement proposals that will be provided as part of the development in order to mitigate against any impact upon protected species. This includes the use of one of the adjacent stone barns for bat mitigation purposes.

Both NRW and the Council's Ecologist has responded to consultation on the proposals to advise that they have no objection subject to the recommendations of the submitted survey and associated drawings being strictly followed and included as part of the conditions of any planning permission. A condition is also to be included requiring details of any site lighting prior to its installation together with a note to advise the developer that a bat licence is required from NRW prior to any development commencing.

In addition to the above, the application site is located just outside of the Laugharne – Pendine Burrows Site of Special Scientific Interest (SSSI) and is hydrologically connected to the Carmarthen Bay and Estuaries and the Carmarthen Bay Dunes Special Areas of Conservation (SACs) which are located approximately 1.2km and 95m respectively from the application site, however no species relevant to the protected sites are present. The application site is also partially located within the C2 flood zone as identified in the Technical Advice Note (TAN) 15: Development and Flood Risk (2014) and in Zone 3 Rivers and Sea of the more recently published NRW flood map for planning. Further information has therefore been requested and since provided concerning proposals for waste water treatment to avoid risk of pollution. The submitted Waste Water Treatment Method Statement has been reviewed by an ecologist and a Test of Likely Significant Effect (TLSE) undertaken. The ecologist considers that the waste water treatment details provided are acceptable and the TLSE concludes that despite the close proximity of the development to European sites that potential impacts are not predicted from the application site and that no mitigation measures are required to remove the risk of significant effects. There is therefore also no requirement for an appropriate assessment to be undertaken.

The proposal is therefore, subject to the conditions mentioned, acceptable having regard to biodiversity and pollution impacts.

Flood Risk

NRW has been consulted on the proposal and in relation to flood risk has advised that given the scale of the development and the fact that the use proposed is considered to be less vulnerable development, they do not object subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development. As such a note is to be included in any planning permission to make the developer aware.

Other matters

Agricultural tenancy

An objection has been received from the current tenant of Little Burrows Farm who initially had not been served with the correct notice as part of the planning application. This has however since been corrected and a new application form has been received. Additional

concerns have been raised however these are considered to be legal/civil matters between the applicant and tenant concerned.

MOD interests

The Defence Infrastructure Organisation (DIO), who are the estate experts for defence as part of the MOD, has written a letter objecting to the proposal and their response has been summarised above. Whilst the concerns raised regarding the implications for the MOD arising from increased traffic movements associated with the abattoir and its employees are acknowledged, it is not considered that the scale and nature of the proposed development would increase movements considerably over and above what could be expected from the existing agricultural use at the site and surrounding farms. Notwithstanding this, the operation of the Brill gate for those farm and properties' residents that need to pass through it and any associated security implications is considered to be a civil matter between the MOD and the parties concerned.

Business scale and viability

A number of third party representations raise concern in respect of the ability of 45 acres of land to sustain a viable business and also to sustain the level of employment proposed. There is also concern that the proposal is for a larger scale operation that would include the importation of livestock from elsewhere to the site for slaughter.

The viability of the business and availability of the land for the business to function is ultimately a matter for the applicant and the Authority can only consider the relevant planning issues based on the information provided to them. The supporting information provided states that the applicant intends to graze their own stock with no importation of any non Little Burrows livestock for slaughter and a condition is to be included in any planning permission to this effect for reasons of highway safety and residential amenity and to exert control over the development in the future.

Animal Welfare

Animal welfare has been raised as an additional concern which is not a material planning consideration. Nonetheless, the applicant highlights within their supporting information that the necessary permitting and appropriate licencing under Environmental Health legislation will be obtained for the development.

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 , having regard to scale, siting and use of an existing building that the proposal would not have an unacceptable impact upon the character and appearance of the area nor upon the living conditions of nearby residents and would not lead to an increase in traffic generation that would result in highway safety concern. There would also be no significant pollution impacts or impacts upon biodiversity. The application is therefore recommended for approval subject to the imposition of the below conditions.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

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

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

Condition 2

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

- Waste Water Treatment Method Statement (March 2022)
received 8th April 2022
- Block and Location Plan (A103)
- Proposed Elevations and Section 1 (A105)
- Proposed Elevations, Section 1 and Floor Plans (A102)
- Proposed Ecological Mitigation and Enhancement Measures
received 11th October 2021
- Bat Survey Report
received 2nd October 2020
- Planning Statement
received 17th July 2020
- Proposed Floor Plan (A101)
received 21st May 2020

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

Condition 3

The facility hereby approved shall only be used for the slaughter of livestock grazed and kept at the holding currently known as Little Burrows and there shall be no importation of livestock for slaughter from elsewhere at any time. An up to date register of all animals slaughtered on the site shall be kept on the site at all times and shall be made available for inspection by the Local Planning Authority upon request. The register shall include details of the type of livestock slaughtered, their relevant tag numbers, the date of slaughter and any other relevant information.

Reason: In the interest of highways safety and to limit impacts upon the living conditions of neighbouring residents in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 4

The bat mitigation, barn owl and nesting bird mitigation as outlined in the Proposed Ecological Mitigation and Enhancement Measures report and as detailed on the Block and Location Plan (A103), Proposed Elevations and Section Plans (A105) and the Proposed Elevations, Section 1 and Floor Plans received on 11th October 2021 shall be implemented and managed in accordance with the report and shall remain as such in perpetuity.

Reason: In the interests of visual amenity and biodiversity and to accord with Policies GP1, EQ4 and SP14 of the Carmarthenshire Local Development Plan.

Condition 5

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 6 other than that hereby approved, shall be carried out in relation to the bat mitigation barn as identified on the plans hereby approved without the written permission of the Local Planning Authority.

Reason: In the interests of visual amenity and biodiversity and to accord with Policies GP1, EQ4 and SP14 of the Carmarthenshire Local Development Plan.

Condition 6

Prior to the installation of any lighting, a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity and to accord with Policies GP1, EQ4 and SP14 of the Carmarthenshire Local Development Plan.

Notes / Informatives

Note 1

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that

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

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

Note 4

The site is located partially within the C2 flood zone as identified in Technical Advice Note 15: Development and Flood Risk (2014) and in Zone 3 Rivers and Sea as identified on the Flood Maps for Planning (2021). Please see the Natural Resources Wales (NRW) consultation reply dated 5th November 2021. The developer's attention is drawn to the potential flood risks at the site and is advised to install flood-proofing measures as part of the development.

Application No	PL/03743
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Application Type	Full planning permission
Proposal	Conversion of office space (Class B1) to 12no. self-contained residential flats with minor external upgrades and relocation of disabled parking bays
Location	5-8 Spilman Street, Carmarthen, SA31 1LE

Applicant(s)	Property Design & Projects Manager - Mr Hywel Harries
Agent	Asbri Planning - Richard Bowen
Officer	Helen Rice
Ward	Carmarthen Town South (Historical)
Date of validation	23/03/2022

Reason for Committee

This application is being reported to the Planning Committee as the County Council is the applicant and it has a significant financial interest in the application.

Site

The application site, is located on Spilman Street within Carmarthen town and comprises four, three storey terraced units (nos. 5 – 8 inclusive) that were previously occupied as offices by Carmarthenshire County Council. Since relocation of the majority of staff from the building during Autumn 2019, the buildings have remained vacant.

The buildings are an integral part of the overall streetscene of this section of Spilman Street which is situated within the Carmarthen Conservation Area. Whilst not listed, the buildings have attractive architectural detailing with a strong symmetrical and vertical emphasis facing onto Spilman street itself and with a distinctive two storey hanging bay window feature on the side facing the entrance into the Council owned car park. Doorways facing onto Spilman street are defined by typical Georgian style framing. A further feature is a framed archway that leads to an underpass for pedestrians, linking from Spilman Street and the rear of the building and the Council car park which lies beyond.

To the west of the application site lies no. 3 Spilman Street which is occupied as offices for Carmarthenshire County Council with the associated car parking area located directly south of the application site. To the east lies an existing residential dwelling (9 Spilman) and beyond lies buildings associated with the Ivy Bush Hotel both of these are Grade II listed buildings. Directly opposite the application site, there are further three storey buildings which are currently vacant, with 40 Spilman Street, also a former Council office and designated as a Grade II listed building.

Proposal

The proposal seeks permission to change the use of the existing vacant office building into 12no. affordable flats. The units would comprise 2no. DDA accessible 4 person 2 bedroom apartments and 10no. 2 person 1 bedroom apartments. The majority of the works to facilitate this change will be internal, with external works limited to external upgrades to windows, roof refurbishment, boundary fencing and to the rear of the building the erection of a single storey plant room on a small patch of grassland facing onto the car park beyond. 9no. of the existing car parking spaces within the car park to the rear of the site will be dedicated for use by future residents (6no. general resident parking and 3 no. disabled parking). A dedicated timber bike storage area would also be provided.

The proposal, being classed as a major development, was the subject of a pre-application consultation prior to submission and the resultant Pre-Application Consultation (PAC) report accompanies the application, along with a Design and Access Statement and Biodiversity reports.

Planning Site History

A review of the site's planning history reveals that the buildings were granted planning permission in December 1981 for their change of use to general office accommodation by the then Carmarthen District Council. There have been various subsequent applications in association with the use of the building as offices by the Council in conjunction with the neighbouring 3 Spilman Street which are relevant in so far as it relates to the existing use.

Planning Policy

[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
- SP12 Waste Management
- SP13 Protection and Enhancement of the Built and Historic Environment
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High Quality Design
- GP2 Development Limits
- GP4 Infrastructure and New Development
- H2 Housing within Development Limits
- AH1 Affordable Housing
- RT4 Principal Centres (Growth Areas): Town Centre Zone

TR3 Highways in Developments- Design Considerations
TR4 Cycling and Walking
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
EQ4 Biodiversity
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 – raise no objections having regard to the central location of the site and that the proposal would not lead to an intensification of use relative to the existing use as offices, along with the proposed dedication of existing car parking spaces for use by future residents.

Head of Public Protection – no objections subject to imposition of conditions to ensure that all noise mitigation measures are duly implemented.

Carmarthen Town Council – support the proposal

Local Members – Councillors Peter Hughes Griffiths, Gareth John and Alun Lenny have not commented to date.

Natural Resources Wales – raised concerns on grounds that insufficient information had been provided to fully assess the developments' impact upon protected species, i.e. bats, in particular due to the proposed roof refurbishment works.

The applicant has since provided additional information, and this is the subject of further consultation at the time of writing. A full update will therefore be provided in an addendum or at the Planning Committee.

Dwr Cymru/Welsh Water – no objections subject to the imposition of conditions to ensure that any changes in surface water discharges as a result of the development will only enter the public sewerage system. In addition, it has been confirmed that a water main is located to the rear of the site albeit no physical works are anticipated in this area.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice and notice in the newspaper. No representations were received as a result.

Appraisal

The main considerations of this case are deemed to be whether the principle of the development is acceptable or not, its impact upon the character and appearance of the area, particularly having regard to its position within the Conservation Area and proximity to nearby listed buildings, impacts on living conditions of nearby residents, pollution, parking and highway implications and biodiversity impacts.

Principle of development

The application site is located within Carmarthen town where there is a general presumption in favour of development subject to adherence with the policies of the LDP and any other material considerations. The proposal would in effect revert to the building's original use of residential accommodation albeit in a different arrangement. Whilst this would result in the loss of office space, the building was largely vacated in Autumn 2019 following re-arrangement of Council office space and it was identified as surplus accommodation. The site has remained empty for the last few years and there are a number of other similar vacant business units within the immediate area. The proposal presents an opportunity to meet a specific need for one and two bed affordable units within Carmarthen town. On balance therefore, it is considered that the proposed alternative use of a vacant office building to provide much needed affordable units outweighs the loss of office space and is therefore considered acceptable and complies with policies SP1, GP2 and EMP1 of the LDP.

Impact upon character and appearance of the area

The site is situated within the Carmarthen Conservation Area and Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Planning Policy Wales, in addition, advises that the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area.

The proposed development will have minimal external changes especially along the frontage onto Spilman Street and would rather present improvements to the façade which currently appear somewhat rundown. Whilst there are some changes proposed to the rear, including fencing, a plant room and a timber bike storage building, such additions are minimal and would be viewed within the context of a rear elevation where such structures are to be anticipated. As such, it is considered that the proposal would enhance the character and appearance of the Conservation Area and would not have an unacceptable impact upon the setting of nearby listed buildings. It is therefore considered that the proposal complies with policies SP13, EQ1 and GP1 of the LDP.

Impact upon the living conditions of nearby residents

Whilst surrounding properties are of a commercial use or vacant, the building does adjoin an existing residential dwelling at 9 Spilman Street. However, it is not considered that the proposed use, especially given the lack of external additions, would result in any additional impacts upon the living conditions of those residents over and above the existing use. Whilst there may be more activity on a regular basis, it is not considered that this would amount to an unacceptable impact. With regards future occupants, the proposed units exceed the minimum space standard which requires 1bed flats to be a minimum 46sqm. In turn, this creates quality internal living environments for future occupiers.

It is therefore considered that the proposal would not have any significant adverse impact upon the residential amenity of adjoining or future occupiers and is therefore considered to be in accordance with LDP Policy GP1 (Sustainable and High-Quality Design).

Impact on Air Quality

The application site lies within the Air Quality Management Area of Carmarthen Town Centre. Policy EP2 of the LDP requires proposals to minimise the impacts of pollution and avoid significant affects on existing AQMAs. However, it is not envisaged that the proposed use would significantly contribute to air pollution over and above the existing use of the building which is more intensive and as such the proposal complies with Policy EP2.

Noise Implications

The application is supported by an Environmental Noise Assessment to ascertain any necessary sound insulation measures needed to the building given its intended use for residential purposes. This has considered the site's proximity to the nearby Ivy Bush Hotel and its associated function room. The report concludes that sound insulation measures will be required, especially to rear bedroom windows, to ensure that appropriate internal ambient noise levels are achieved. The Councils Public Protection team have assessed the proposal and submitted reports and conclude they have no objections subject to conditions securing the measures outlined to achieve appropriate noise levels. As such, it is considered that the proposal complies within policies GP1 and EP2 of the LDP.

Parking and Highways

The site is located within a highly sustainable location within walking distance of the retail core of Carmarthen Town as well as Carmarthen Rail Station and Bus Station. There is also a bus stop located on Spilman Street towards the front of number 8. Whilst the development would generate demand for a maximum of 14 spaces in line with CSS parking standards, those standards are maximum and as such flexibility can be applied in locations where there is other alternative means of transport within walking distance. The proposed development designates 9 of the existing spaces in the car parking area to the rear for use by future residents with the parking spaces that would be displaced as a result being provided for within the remaining car parking area. This level of parking, having regard to the site's location and the split between disabled and general parking for future residents is considered acceptable and again is significantly less than the parking demand generated by the existing office use. Provision is also made for bicycle storage for residents.

In terms of access, no changes are proposed to the existing access, and it is not considered that the proposed development would result in an intensification of the use of this access over and above the existing use. It is therefore considered that the proposal complies with policy TR3 and TR4 of the LDP.

Biodiversity impacts

The application was initially supported by an Inspection Report and proposed Bat Method Statement. The inspection report concludes that there were multiple bat roosting features beneath the wooden fascia and soffits with the internal inspection identifying small accumulations of bat droppings. It was therefore assumed, given that works to refurbish the roof are required, that an European Species Licence application would be required from

NRW. As indicated above, NRW wished to obtain further detailed information via full surveys of the building prior to being in a position to fully comment on the submission. As such, full surveys were undertaken in May and June 2022 which recorded the emergence of a bat from the south-eastern elevation on both occasions. This confirms that an EPS Licence will be required for the works which is accepted by the applicant and a revised bat method statement was also supplied. The results of the surveys and method statement have been sent to NRW for comment and their response, along with the Council's Planning Ecologist is awaited at the time of writing. An update will be provided at the committee.

Planning Obligations

The proposal is a 100% affordable housing scheme. The affordable housing units will be secured by way of an appropriately worded condition to ensure that they are retained as affordable units in perpetuity. Given the nature and scale of the units proposed, the education department have confirmed that no contributions towards education would be sought.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposal represents an acceptable form of development that provides opportunity to provide a suitable alternative use to a vacant building to meet a specific affordable housing need. Due to limited external changes, and rather the improvements to the existing rundown appearance of the building would serve to enhance the appearance of the building and improve its contribution to the streetscene to the benefit of the wider Conservation Area and nearby listed buildings. It is not considered, having regard to the existing use, that the development would result in unacceptable impacts upon living conditions of both existing nor future residents and adequate measures are proposed to limit noise impacts for future residents from existing nearby uses. The proposal, given its highly sustainable location, would be served by appropriate level of car parking and cycle provision and would not result in highway safety impacts. Appropriate measures and safeguards are proposed to limit impacts upon biodiversity interests. As such, the proposal is considered to comply with the above mentioned policies of the LDP and is recommended for approval subject to the below conditions.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

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

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

Condition 2

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

- Bat Building Inspection and Activity dated 20 June 2022 Report
- Bat Method Statement dated 20 June 2022 received 21 June 2022

- Proposed Site Plan [8842-119-CCC-DR-002-C]
- Proposed Elevations [8842-119-CCC-DR-006-B] received 14 April 2022

- Proposed Floor Plan [8842-119-CCC-DR-005]
- Environmental Noise Assessment by Hunter Acoustics [5976/ENS1_Rev2] received 21 March 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

Prior to commencement of development a scheme for the provision of the affordable housing shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- I. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces;
- II. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;
- III. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- IV. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing.

Reason: To secure the affordable housing in perpetuity in accordance with Policy AH1 of the Carmarthenshire Local Development Plan 2014.

Condition 4

The parking spaces and layout shown on the plans herewith approved shall be completed 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 and turning facilities is to be obstructed by non-motorised vehicles.

Reason: To ensure appropriate and timely provision of parking spaces to meet parking demands in the interests of highway safety in accordance with Policy TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 5

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

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with policy EP2 of the Carmarthenshire Local Development Plan 2014.

Condition 6

The position of the public sewer that crosses the application site shall be accurately located and marked out onsite before works commence. No operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with policy EP2 of the Carmarthenshire Local Development Plan 2014.

Notes / Informatives

Note 1

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

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).