

# Document Pack



Wendy Walters  
Prif Weithredwr,  
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**TUESDAY, 30 JULY 2019**

**TO: ALL MEMBERS OF THE PLANNING COMMITTEE**

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN AT 2.00 PM ON TUESDAY, 6<sup>TH</sup> AUGUST, 2019** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

*Wendy Walters*

**CHIEF EXECUTIVE**



PLEASE RECYCLE

<b>Democratic Officer:</b>	<b>Janine Owen</b>
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<b>E-Mail:</b>	<b>JanineOwen@carmarthenshire.gov.uk</b>
<b>Ref:</b>	<b>AD016-001</b>

# PLANNING COMMITTEE

20 MEMBERS

## PLAID CYMRU GROUP - 10 MEMBERS

- |     |                                      |   |
|-----|--------------------------------------|---|
| 1.  | <b>Councillor Mansel Charles</b>     | Member of Llanegwad Community Council   |
| 2.  | <b>Councillor Tyssul Evans</b>       | Member of Llangydeyrn Community Council |
| 3.  | <b>Councillor Jeanette Gilasbey</b>  | Member of Kidwelly Town Council         |
| 4.  | <b>Councillor Ken Howell</b>         |   |
| 5.  | <b>Councillor Carys Jones</b>        |   |
| 6.  | <b>Councillor Alun Lenny (Chair)</b> | Member of Carmarthen Town Council       |
| 7.  | <b>Councillor Jean Lewis</b>         |   |
| 8.  | <b>Councillor Dorian Phillips</b>    |   |
| 9.  | <b>Councillor Gareth Thomas</b>      |   |
| 10. | <b>Councillor Eirwyn Williams</b>    |   |

## LABOUR GROUP - 4 MEMBERS

- |    |                                 |  |
|----|---------------------------------|--|
| 1. | <b>Councillor Penny Edwards</b> |  |
| 2. | <b>Councillor John James</b>    | Member of Pembrey & Burry Port Community Council |
| 3. | <b>Councillor Dot Jones</b>     | Member of Llannon Community Council              |
| 4. | <b>Councillor Kevin Madge</b>   | Member of Cwmamman Town Council                  |

## INDEPENDENT GROUP - 4 MEMBERS

- |    |  |                                      |
|----|--|--------------------------------------|
| 1. | <b>Councillor Sue Allen</b>                | Member of Whitland Town Council      |
| 2. | <b>Councillor Ieuan Davies</b>             |                                      |
| 3. | <b>Councillor Joseph Davies</b>            |                                      |
| 4. | <b>Councillor Irfon Jones (Vice-Chair)</b> | Member of Bronwydd Community Council |

## NEW INDEPENDENT GROUP – 2 MEMBERS

1. Vacancy
2. Vacancy

**NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THIS COMMITTEE**

# AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF PERSONAL INTERESTS
3. TO CONSIDER THE HEAD OF PLANNING'S REPORTS ON THE FOLLOWING PLANNING APPLICATIONS [WHICH HAD BEEN THE SUBJECT OF EARLIER SITE VISITS BY THE COMMITTEE] AND TO DETERMINE THE APPLICATIONS:-
  - 3.1 **S/37227** - THE DRYING AND STORING OF WILLOW CROP FROM THE ADJOINING FORESTRY LAND. EXCAVATION AND REMOVAL OF UNAUTHORISED AREAS OF HARDSTANDING, RETAINING ONLY THAT WHICH IS THE MINIMUM SUFFICIENT TO PROVIDE VEHICULAR ACCESS TO THE BUILDING. IMPROVEMENT TO THE ACCESS ON TO THE PUBLIC HIGHWAY, AND THE IMPLEMENTATION OF A SURFACE WATER DRAINAGE STRATEGY INCLUDING THE FORMATION OF A NEW ATTENUATION POND AND CONNECTIVE DRAINAGE RUNS AT LAND AT GRUGOS WOOD, LLANNON, LLANELLI, SA14 8JH 5 - 18
  - 3.2 **S/37727** - CONSTRUCT NEW SINGLE STOREY WAREHOUSING BLOCK ALONG WITH BUILDING A SECOND STOREY EXTENSION ABOVE THE EXISTING OFFICE AREA WITH ASSOCIATED WORKS TO THE CAR PARK AND FACADE AND PERIMETER FENCING (TOTAL PROPOSED AREA - 800 SQ METRES) AT CK'S STORES, EMBANKMENT ROAD, LLANELLI, SA15 2BT 19 - 34
  - 3.3 **S/38535** - EXPANSION OF TRAVELLER SITE S/34755 (APPROVED 20.03.2018) TO ALLOW A THIRD PITCH FOR A FAMILY MEMBER, PLUS CHANGES TO THE LANDSCAPING SCHEME AND TO ALLOW THE SITE TO HAVE A PERMANENT CONSENT AT LAND AT HILLSIDE VIEW, HENDY, LLANNON, LLANELLI, SA14 8JX 35 - 46
  - 3.4 **S/38787** - CONSTRUCTION OF TWO DETACHED, TWO STOREY HOUSES AT FORMER BOWLS & SOCIAL CLUB, 38 LADY STREET, KIDWELLY, SA17 4UD 47 - 54
  - 3.5 **S/38916** - SINGLE STOREY SIDE EXTENSION, INCLUDING ROOF LIGHTS, AS REPLACEMENT OF EXISTING ADJOINED OUTBUILDING, RAISED DECK AREA AND REPLACEMENT FLAT ROOF AT TRE NEDDYN, PONTARDDULAIS, SWANSEA, SA4 0FP 55 - 60
4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS 61 - 84
5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE:
  - 5.1 27<sup>TH</sup> JUNE 2019 85 - 88
  - 5.2 9<sup>TH</sup> JULY 2019 89 - 92



<b>Application No</b>	<b>S/37227</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	THE DRYING AND STORING OF WILLOW CROP FROM THE ADJOINING FORESTRY LAND. EXCAVATION AND REMOVAL OF UNAUTHORISED AREAS OF HARDSTANDING, RETAINING ONLY THAT WHICH IS THE MINIMUM SUFFICIENT TO PROVIDE VEHICULAR ACCESS TO THE BUILDING. IMPROVEMENT TO THE ACCESS ON TO THE PUBLIC HIGHWAY, AND THE IMPLEMENTATION OF A SURFACE WATER DRAINAGE STRATEGY INCLUDING THE FORMATION OF A NEW ATTENUATION POND AND CONNECTIVE DRAINAGE RUNS AT LAND AT GRUGOS WOOD, LLANNON, LLANELLI, SA14 8JH

<b>Applicant(s)</b>	MR CARWYN MORGAN, WAUNGRECHYDD, SA15 4RT
<b>Agent</b>	SAURO ARCHITECTURAL DESIGN LTD - MR PETER SAURO, 9 ELLISTON TERRACE, CARMARTHEN, SA311HA
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llannon
<b>Date of validation</b>	11/05/2018

## Reason for Committee

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

## Site

The application site is a 0.2 ha parcel of land approximately 650m to the South West of Llwynteg. Llwynteg is characterised by a scattering of individual houses in the open countryside which forms a loose hamlet approximately 1.2km to the East of Llannon. The site was formerly part of the Cwmhowell estate, however is now in separate ownership.

The application site edged red includes the access from the county road, the track leading to a forestry building, the area of hard standing immediately around the

building, and an area of unauthorised hardstanding that is proposed to be removed, along with the surface water system.

The rest of the land within the applicant's ownership (referred to as the wider land) has traditionally been used for forestry with commercial crop planting attempted, but is understood to have failed due to ground conditions. The furrowed hallmarks of the commercial plantation are evident on Arial photos. The land is underlain with peat so is wet in nature. The site has been a candidate SSSI for some time, however NRW has never formally designated it. It is understood that a forestry EIA would be required in order to replant the land, however the licencing regime is outside the realms of planning as it is controlled by NRW.

Planning permission was granted in 1983 for the controlled tipping of material on the wider land in the applicant's ownership. The only point of access onto a public road was the location now proposed to be retained as part of this application site as the rest of the land was land locked. The principle of an access for larger vehicles has therefore been accepted previously. It should be noted however that this permission was not implemented as the applicant, Llanelli Borough Council, found an alternative site for the controlled tipping. The wider peat land (outside the application site) has been used for forestry and bears the hallmarks of its traditional use. The site is understood to be underlain with peat and forms a lowland fell on the habitat classification maps. The site and its wider context is a candidate SSSI however is not designated for any ecological reasons on a local or national level.

A notification was received in 2016 for the erection of a forestry building. The applicant's stated intention at the time was the commercial growing of trees, namely the establishment of a Christmas tree growing rural enterprise. The building was considered reasonable for forestry purposes, for the keeping of machinery and equipment along with the preparation and storage of the Christmas Trees ready for sale. It was therefore considered that prior approval was not required for the building. It was noted that there were only two dwellings within 500m of the building, Llwyn Tew at approximately 150m and Llwyn yr Eos at approximately 315m so the siting of the agricultural building was not considered likely to have amenity implications. Access at the time was via an existing gate and track through an area of overgrown woodland. There was no indication of a new track or hardstanding in the notification so it was assumed that the existing gate and track would serve the building. The building is on the proposed retained area of hardstanding so is within the application site, however it is considered that the notification established that planning permission was not required for the building as it was considered permitted development for forestry purposes. The building itself is not therefore under consideration as part of this application.

Subsequent to the notification, land was subject to the deposition of hard core material to form a hard standing along with the widening of the access and formation of a formal track into the site, hence the retrospective application to retain the access and hardstanding which was not covered by the notification.

An application (S/34438) was submitted and refused in 2016 for the retention of the access and hardstanding on the following grounds.

- (i) The hard standing is excessive and unjustified to serve the forestry building which was subject to notification (S/33871) to the detriment of the character and amenity of the open countryside.
- (ii) The hard standing of this scale is detrimental to the biodiversity of the site given its habitat status as a lowland fen.
- (iii) The hand standing of this scale is detrimental to the hydrology of the site given the nature of the lowland fen and surface water issues evident.

A further application (S/35699) for retention of the access and hardstanding was submitted in 2017 and refused on lack of information as follows:-

- (i) There is a lack of information to demonstrate that the hard standing and surface water system as proposed is not detrimental to the biodiversity of the site given its habitat status as a lowland fen.
- (ii) There is lack of information in respect of the proposed hydrology of the site given the nature of the lowland fen and surface water issues evident.
- (iii) There is a lack of information in respect of potential contamination of the hydrological regime from the tipping of material on the site.
- (iv) There is a lack of information in respect of the traffic generated by the forestry use of the site in terms of potential customers for the proposed Christmas tree enterprise and the adequacy of the access and hard standing to accommodate the traffic.
- (v) Insufficient information has been submitted to confirm that surface water can be addressed in an appropriate manner without causing detriment to any third party property and highway safety.
- (vi) Insufficient information has been submitted to demonstrate that the removal of material and formation of the attenuation pond as proposed can be achieved to minimise the damage to the peat habitat which underlies the unauthorised material.

The refusal was subject to appeal which was dismissed on the grounds that the Inspector agreed that there was insufficient information to demonstrate that the proposal would not have an unacceptable adverse impact. The applicant was advised that any further applications would have to be materially different or it would not be considered.

## **Proposal**

The application seeks the drying and storage of biomass produced on the wider land, and retention of an access and hardstanding to serve a forestry building which was subject to a forestry notification under S/33871. The proposal is materially different in that the only hardstanding retained is the minimum to allow access to and around the building and provide turning facilities. The application also has an amended

surface water scheme with an attenuation sump to the north east of the building rather than south west to address previous third party concerns.

The applicant has changed the stated purpose of the site and building. Having acquired a local joinery, the company is seeking to use the wider land (outside the application site) for willow coppicing which requires wet conditions, to provide biomass for the drying of timber at the joinery. The building (within the application site but outside the scope of the application) is proposed for the drying and storage of the biomass which is considered to be a forestry use in accordance with the notification. The growing of trees and storage of timber from the wider land are not subject of this application.

In terms of the application site, the applicant has deposited a significant amount of material on wet peat / wooded land to form an improved access and hardstanding which is proposed to be retained in a reduced form. Some removal has already taken place, however much of the unauthorised engineering works remain in situ. After discussion, the applicant proposes to reduce the hard standing to the minimum which is necessary to provide an access and turning area to serve the building so the area which is now evident is proposed to be reduced.

In terms of drainage, since the last application, to address third party concerns, the applicant has proposed an amended surface water system with attenuation pond to the north east of the building rather than south west, which is proposed to collect surface water and drain the site to an existing water course at a controlled rate. The scheme has established that the hardstanding is porous and a degree of water would percolate to the underlying hydrology so would remain as it was prior to the deposition of material. Any excess water from the access road is proposed to be diverted to the attenuation system at two points of interception and any remaining water being intercepted before the highway and diverted into an existing ditch which enters the surface water culvert crossing the road. There are therefore 3 means of intercepting surface water from the access track so it does not enter the road. A drainage report has been submitted and scrutinised by the County drainage engineers who have no objection.

Access is proposed to be retained as built, with the proposed addition of drainage, which is an improvement over the original gateway which was evident when the building was subject to a notification. The access gates are set back off the road which would allow vehicles to leave the road safely before opening the gates to access the site. The access includes improved visibility and drainage compared with the original gateway. The applicant has confirmed that there would be no public access to the site.

The application provides ecological information which assumes presence of dormice, and seeks to demonstrate that the favourable conservation status would not be harmed.

## **Planning Site History**

S/35699      Retrospective application for widening of existing access, creation of track and hardstanding in front of steel framed



	forestry building, creation of surface water attenuation pond and removal of unauthorised fill material. (Resubmission of S/34438 Refused 17/11/2016.) Full planning refused Appeal Dismissed	17 August 2017 11 July 2018
S/34438	Retrospective application for widening of existing access & track with hard standing in front of steel framed building Full planning refused 2016	16 November
S/33871	Proposed building Prior Notification - PP not required	08 June 2016
D5/7148 1983	Controlled tipping of refuse Full planning permission	12 December

## Planning Policy

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

SP1 Sustainable Places and Spaces  
 SP2 Climate Change  
 SP14 Protection and Enhancement of the Natural Environment  
 GP1 Sustainability and High Quality Design  
 EQ3 Regional and Local Designations  
 EQ4 Biodiversity  
 EQ7 Development within the Caeau Mynydd Mawr SPG Area  
 EP2 Pollution  
 EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** - Had queries on the original submission, however after clarification that there is no general public access, has no objection to the scheme subject to the imposition of appropriate conditions.

**Head of Technical Services (Drainage)** – Has no objection to the revised scheme.

**Head of Public Protection** -

**Air Quality** - Has no objections to the proposal, however states that if timber processing is proposed, a permit may be required under Environmental Permitting (England and Wales) Regulations 2016 (as amended).

**Noise** – Has no objection subject to the imposition of a condition regarding construction times.

**Contaminated Land** – Has no adverse comments.

**Llannon Community Council** – Has the following observations:-

- It is noted that the application includes reference to works which are currently the basis of a previous refusal on appeal for planning consent and for which enforcement action is being prosecuted by the Council. Llannon Council is of the opinion that all works required to be completed to comply with the enforcement action should be excluded from any consent granted against this application.
- Members of the Council expressed concerns regarding the impact of the development on the drainage of this area and the potential flooding problems. Also, concern was expressed regarding the potential contamination of water courses in the area.
- As this area consists of a peat bog, it is felt that this habitat should be preserved and concern was expressed on the impact of the proposal on the local ecology.

**Local Member** - Councillor E Dole objects to the scheme and has requested that the application be reported to Planning Committee if recommended for approval. County Councillor E Dole requests a Planning Committee site visit so Members can appreciate the proposal on site. Councillor D Jones is a member of the Planning Committee and has made no prior comment.

**Natural Resources Wales** – Has no objection, however provides advice regarding afforestation (outside the application site) and concur with the conclusions of the ecological report that the surface water pond is not likely to have an adverse effect on the favourable conservation status of dormice.

**Wildlife Trust of South and West Wales** – Has concern regarding species especially dormice and fen habitat.

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

## **Summary of Public Representations**

The application was the subject of notification by way of site notices on initial submission and re-consultation on receipt of amended details.

61No. representations were received (including 2No. from the local MP) objecting and the matters raised are summarised as follows:-

- Principle of the application.
- Recent appeal has been dismissed. No change from what the Inspector considered.
- Ground conditions.
  - The land is classed as deep bog.
  - Previous owner surveyed the site and there is 9m of peat (1.5m cubic metres).
  - The land should be restored to peat bog.
- Intentions of the applicant. Reference to unlawful existing premises.
- Land has been raised without planning.
- Ecology.
  - Loss of hedgerow – impact on dormice.
  - Loss of trees in nesting season.
  - Adj to Rhos Cefn Bryn nature reserve with dormice, Marsh Fritillary Butterflies, Adders, etc. Loss of dormouse habitat.
  - Lack of Environmental Impact Assessment.
  - You can't plant trees on peat bogs.
- Use of building.
  - It has been erected in advance of planting licence.
  - It will be used for commercial manufacturing purposes.
  - There are industrial estates more suitable for the use.
  - Barn should not be deemed permitted development.
- Highway safety.
  - Insufficient visibility at entrance and crossroads.
  - Nature/size of vehicles proposed.
  - Use of single track lane.
  - Impact on horse riders & cyclists.
- Surface water.
  - History of flooding on highway – not solved by recent alterations.
  - Pond will fill and overflow.
  - The submitted drainage report and resultant scheme is inadequate.
  - Contamination of water courses.
  - The road would be dangerous in the ice.
- Hard standing.
  - Potentially contaminated fill material – asbestos, cables, glass & plastic used not clean stone as stated. Needs to be removed.
  - Surface water from hard standing flows onto the highway.
  - Evidence contradicts the tipping paperwork submitted.

- No tree planting licence has been obtained and no licence will be granted on peat.
- Queries over whether the proposal has a sprinkler system and fire management plan?

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

## Appraisal

The material planning considerations are set out below.

### Principle of the application

The principle of a third application after two refusals and an appeal dismissal has been raised by one Local Member and third parties. The appeal Inspector opined that there was a lack of information submitted and that the original scheme had some fundamental questions in terms of impact on the environment that had not been adequately addressed. The applicant has therefore amended the scheme in terms of the amount of hardstanding proposed to be retained, and the location and nature of the surface water drainage system, so it is considered to be materially different from previous applications, and has been in discussion with the Local Planning Authority and Natural Resources Wales. It is now considered that there is sufficient information to make an informed decision.

### Biodiversity Impacts

The nature of the site as a candidate SSSI and presumed presence of dormice is noted. However the competent authority for both matters is NRW and they have been consulted on the proposal. In respect of the status of the land, this is not relevant to this application as the amount of hard standing is being reduced significantly to that required for access and turning. The wider land is outside the application site and therefore is not subject to this proposal. In respect of the application site, the submission states that the peat environment will recover from the deposition of material and the remaining part is relatively small compared with the wider site and is reasonably related to the building. It should be noted that the application site has no environmental designations and NRW has not objected on the basis of the access and track. In terms of the matter of dormice, there has been extensive dialogue between the applicant and NRW. The presumed presence is accepted and it is concluded that there is not likely to be any loss of favourable conservation status.

The adequacy of the habitat survey has been questioned, however as stated above, the wider land is not subject to this application and NRW have raised no objection to the scheme. The county ecologist has questioned the long term management of the reinstated peat environment and reiterates the fact that separate licencing from NRW would be required for afforestation of the wider land. It is recommended that if approved, there should be a condition seeking a long term management plan of the reinstated area where the hardcore has been removed.

## Highway Impacts

The Head of Transport has assessed the site and surrounding road network and has no objection on the basis that there is no general public access. The access onto the public highway is considered to be a significant improvement over the original gateway in that vehicles can pull off the county highway and open the gates rather than causing an obstruction. The visibility has also been improved making it safer for vehicles leaving the site and for general road users. There have been concerns raised over people using the cross roads, and crashes due to speeding vehicles, however the level of usage from planting and harvesting biomass is not considered to be significant and the principle of larger vehicles was accepted in 1983 and again established with the forestry notification in 2016. Impact on highway safety is not therefore considered likely to be unacceptable.

## Surface Water

There is concern over the impact of the scheme on historic pre-existing drainage problems on the highway. It is noted that due to complaints over the pre-existing highway drainage problems, work has been recently carried out on the highway to improve the flow into an existing surface water culvert to alleviate the problem. The application includes a surface water scheme including attenuation to ensure that the surface water from the building and the majority of the access track is attenuated to greenfield rates so there is no additional rate of water flowing into the surface water drains which cross the highway. Any remaining water from the access track is proposed to be diverted to an existing ditch. The scheme is therefore designed so water from the access and track is not considered likely to have an adverse impact. The county drainage engineers and NRW have been consulted on the application and have no objection to the proposal.

## Hard Standing

There is concern that hazardous substances have been buried under the hardstanding. This has been subject to complaints to public protection, planning enforcement and NRW. It should be noted that site visits have taken place which concluded that no action was necessary.

## The Use of the Building

There is speculation that the applicant intends using the building for the manufacturing of timber frame buildings. This is not within the permitted use as a forestry building and would require change of use. Such premises are directed towards business parks and employment sites rather than open countryside locations. It is noted that the applicant has acquired a joinery on an industrial estate in Llanelli and any expansion would be encouraged in locations such as this. The applicant states that the building is to be used for forestry purposes for the drying and storage of biomass produced on site with willow coppicing. It should be noted that the principle of the building does not form part of this application as it was

considered permitted development for forestry, and the use of the wider land does not form part of this application and requires a planting licence from NRW.

#### Other Matters

Matters related to planting licences, fire management, and the applicant's other premises in Five Roads are not considered to be material considerations.

### **Planning Obligations**

Not applicable.

### **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 application has sought to address the reasons for refusal or dismissal of previous applications.

There are concerns from neighbouring occupants that the applicant is seeking to relocate its business to this location into the forestry building, however it should be noted that the application is just seeking the retention of some of the hardstanding along with the access track and surface water scheme.

It should be noted that the potential re-use of the building and the growing of commercial willow crop on the land that is owned by the applicant is not part of the application and concerns are not relevant to the determination of this application. The applicant is aware of the need to obtain a licence to grow willow on the land however this is a separate process to planning and is covered by other legislation. A planting licence was not a pre-requisite for construction of the building under notification S/33871, however if the building is not used for a forestry purpose, it will be subject to enforcement action for its removal.

Based on the proposal under consideration, the access is considered to be an improvement over the original gateway and the access track and surface water system are not likely to have an adverse impact on third parties. Therefore the application is recommended for approval.

## RECOMMENDATION – APPROVAL

### Conditions

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 11 May 2018.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 11 October 2018:-
  - 1:1250 & 1:2500 scale Site Block and Location Plan. Drawing No. LP-01A;
  - 1:500 & 1:1250 scale Proposed Site Plan. Drawing No. 01;
  - 1:200 & 1:20 scale SW Drainage Strategy Plan and Section. Drawing No. 02C;
  - 1:100 & 1:10 scale Site Access Plan and Details. Drawing No. 7478-01-RevC.
- 3 The new vehicular access shall be laid out and constructed strictly in accordance with Typical Layout for agricultural accesses specification, prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 4 Any access gates shall be set back at 10.0 metres from the highway boundary, and shall open inwards into the site only.
- 5 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 10.0 metres from the edge of the carriageway.
- 6 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole C2130 Road frontage within 2.4 metres of the near edge of the carriageway.
- 7 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 8 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.

- 9 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 10 The private access shall be hard surfaced in a bonded material for a minimum distance of 10.0 metres behind the highway boundary within 60 days of the date of this permission and thereafter maintained in perpetuity.
- 11 Within 3 months of the date of this permission, a long term management plan for reinstated peat environment shall be submitted to and approved by the Local Planning Authority.
- 12 Within 3 months of the date of this permission, a revised timetable for mitigation planting and removal of inert waste shall be submitted to and approved in writing by the Local Planning Authority. The works shall be in accordance with Appendix 6 of the Preliminary Ecological Appraisal reference WWE18007.PEA\_Rev E dated 11 October 2018.
- 13 The surface water scheme as shown on Drawing No. 02C dated 11 October 2018 shall be implemented within 6 months of the date of this permission.
- 14 There shall be no drying or storage of timber or any other form of biomass grown on sites other than the land edged blue submitted with this application.
- 15 There shall be no external storage of timber or any other form of biomass on the land edged red or blue submitted with this application.

## **Reasons**

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2+15 In the interests of visual amenity in accordance with Policy GP1.
- 3-10 In the interests of highway safety in accordance with Policies TR2 and TR3.
- 11+12 In the interests of biodiversity in accordance with Policy EQ4.
- 13 To prevent flooding in accordance with Policies SP2 and EP3.
- 14 To protect the amenities of neighbouring properties in accordance with Policy GP1.

## **Notes/Informatives**

- 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 if 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.

- 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](http://www.carmarthenshire.gov.uk)).
- 3 Please note an EPS licence is required for dormice.

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<b>Application No</b>	<b>S/37727</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCT NEW SINGLE STOREY WAREHOUSING BLOCK ALONG WITH BUILDING A SECOND STOREY EXTENSION ABOVE THE EXISTING OFFICE AREA WITH ASSOCIATED WORKS TO THE CAR PARK AND FACADE AND PERIMETER FENCING (TOTAL PROPOSED AREA - 800 SQ METRES) AT CK'S STORES, EMBANKMENT ROAD, LLANELLI, SA15 2BT

<b>Applicant(s)</b>	CK'S SUPERMARKETS LTD, CK'S STORES, 1 EMBANKMENT ROAD, MORFA, LLANELLI, SA15 2BT
<b>Agent</b>	ATEB CONSULT - MR MIKE MORGAN, 42 GURNOS ROAD, YSTALYFERA, SWANSEA, SA9 2HY
<b>Case Officer</b>	Robert Davies
<b>Ward</b>	Glan Y Mor
<b>Date of validation</b>	28/08/2018

## Reason for Committee

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

## Site

The application site consists of the existing CK's supermarket storage and distribution centre located off Embankment Road in Morfa, Llanelli. The site was historically a Leo's supermarket site before planning permission was granted in 2002 to use the majority of the site as a storage and distribution centre.

The 1.65ha site is located within an area that is primarily residential in nature and is accessed via a site entrance from Embankment Road to the south west corner. The former Leos store had a historic access arrangement off Westbury Street to the east however this has subsequently been closed off.

The majority of the existing building is single storey flat roof, with the exception of a more recent pitched roof warehouse extension to the western side. The storage and distribution centre has a very large curtilage, however the existing parking and delivery arrangements are quite ad hoc. There are currently unauthorised steel containers located to the eastern side of the building which are used as a dispatch area.

## **Proposal**

The application seeks full planning permission to construct a new single storey 18m by 12m warehouse extension block on the southern elevation of the building on an area currently used for the storage of rubbish. A larger extension was previously approved in this location under planning application reference S/17669 in 2007 but was never implemented. It is also proposed to construct a 35m by 17m first floor offices extension above the existing ground floor office area, freeing up the existing ground floor office space to be used for further storage/warehousing. An existing meat production area within the existing building is to be retained and a new small bakery area provided.

The proposed extensions will have goosewing grey horizontal cladding to the walls and a mixture of grey sheeting or felt to the roofs.

The proposed scheme seeks to formalise the parking arrangements, with 50no. being delineated, whilst the lorry waiting and loading areas are also to be regularised. An alternative cardboard/rubbish storage area is proposed to the northern side of the building, whilst the existing unauthorised dispatch area containers to the eastern side of the building area to be removed.

In terms of drainage the foul sewerage is to be disposed of to the mains sewer whilst surface water is to be disposed of via the mains also, as infiltration is not appropriate, albeit at an attenuated rate via an attenuation tank.

The revised plans submitted also indicate that it is proposed to construct a 2.4m high weldmesh style security fence around the whole perimeter of the application site. A new footpath arrangement is shown to the north eastern corner of the application site whilst the eastern boundary fencing is proposed to have two security access gates.

In addition to the usual drawings the application was accompanied by the following supporting information:-

- Flood Consequence Assessment;
- Preliminary Ecological Appraisal;
- Traffic management plan – traffic distribution routes;
- Traffic and staff travel plan;
- Traffic Management Plan;
- Drainage Drawings.

## **Planning Site History**

S/20154 2008	Extension to existing warehouse Full planning permission	25 November
S/19308	Variation of condition no. 3 attached to planning permission ref. S/17669 dated 20 December 2007 to allow for alternative external finishes to the development Variation of planning condition granted	16 July 2008
S/17669 2007	Warehouse extension Full planning permission	20 December
LL/01603	Change of use of part of existing supermarket to storage and distribution Full planning permission	01 August 2002
D5/15699 1993	Removal of railway embankment and bridge and associated road improvement landscaping works – to be used as public open space Full planning permission	23 September
D5/10615	Removal of railway embankment Deemed Consent (Regulation 4)	16 May 1988
D5/8173	Proposed staff room/kitchen extension Full planning permission	03 January 1988
D5/7529	Loading bay canopy extension Full planning permission	19 January 1984
D5/5274	Extension of existing store Approval of Reserved Matters granted	08 January 1981
D5/4814	Extension of existing store Outline planning permission	17 July 1980
D5/5021	Display of advertisements Consent to Display Advertisements granted	17 July 1980

## Planning Policy

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

SP1 Sustainable Places and Spaces  
SP2 Climate Change

SP3 Sustainable Distribution- Settlement Framework  
SP9 Transportation  
SP14 Protection and Enhancement of the Natural Environment  
SP17 Infrastructure  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
GP4 Infrastructure and New Development  
EMP3 Employment – Extensions and Intensification  
TR2 Location of Development – Transport Considerations  
TR3 Highways in Developments – Design Considerations  
EQ4 Biodiversity  
EP1 Water Quality and Resources  
EP2 Pollution  
EP3 Sustainable Drainage  
[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transport** – No objection subject to the submission of a travel routing plan for deliveries and a staff travel plan.

**Head of Public Protection** – No objection subject to conditions.

**Llanelli Town Council** – No objection but made the following comments:-

- A number of objections have been raised by local residents over noise and overlooking.
- Respectfully request that the decision on this application is made by the Planning Committee.
- Request that further detail is provided on outstanding matters prior to the application being considered.

**Local Members** – Councillor J Prosser has declared an interest in the application as the applicant is known to him. Councillor Prosser has received concerns from Clos Dewi Medi residents that they will be overlooked. Whilst Councillor Prosser acknowledges the applicant's intention to expand their business, due to the concerns raised respectfully requests that the Planning Committee undertake a site visit prior to making a decision on the application.

Councillor L Roberts has raised the following reservations:-

- No disclosure on submitted plans regarding a proposed bakery.

- No designated area for containers on new plans.
- Windows of new first floor extension overlooking old age bungalows.
- Large mounds of material waste around perimeters.
- Building material waste.
- Noise levels early morning resident complaints.
- Emission of fumes near proximity of houses. Residents' complaints.
- Request that these plans are submitted to a planning meeting/requesting a site visit also.

**Land Drainage** – No objection.

**Dwr Cymru/Welsh Water** – No objection subject to conditions and advisory notes.

**Natural Resources Wales** – No objection.

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

## **Summary of Public Representations**

The application was originally advertised by the posting of numerous site notices, whilst a re-consultation was also undertaken in the same manner. To date five letters of representation have been received objection to the application on the following grounds:-

- Such a distribution centre is not acceptable in a residential area in the first place. Any proposals to expand should be on an industrial estate.
- Noise and vibration from lorries, fork lifts from 6.30am in the morning.
- Highway and pedestrian safety – increased traffic.
- Increased pollution.
- Visual amenity – the existing site is an eyesore with rubbish including fridges, shelves and containers scattered around the site. This encourages anti-social behaviour and health and safety issues. This will be exacerbated by the expansion proposals.
- Health and safety – there is a public right of way through the site which is used by children walking to school. This is dangerous as they have to walk passed lorries loading and unloading.

- Lack of security at the site at the moment e.g. no fencing or cctv.
- There are unauthorised containers on the site that are used for distribution.
- Increased sewerage.
- Loss of amenity from overlooking.
- Lack of consultation – only site notices.

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

## **Appraisal**

### Principle of Development

As aforementioned in this report, the application site is already in use as a well-established storage and distribution centre for CK's supermarket. As such, there is no in principle objection to its expansion provided that the proposals accord with relevant policies contained within the Local Development Plan.

The current application provides an opportunity to improve existing operations at the application site by formalising and regularising arrangements, and imposing suitably worded conditions where relevant.

### Impact upon Character and Appearance of the Area

In addition to the concerns raised in terms of impact upon residential amenity, concerns have been received over existing waste scattered around the site and the siting of unauthorised containers. It is opined that such matters have adversely affected the visual amenity of the area and result in health and safety issues.

In this respect the plans submitted indicate that the existing unauthorised containers used as a dispatch area are to be removed as part of the proposed development and a condition to ensure that this is done within a defined timescale will be imposed on any planning permission granted. Whilst the existing area for the storage of cardboard waste etc. will be displaced by the proposed ground floor extension, the plans indicate an alternative location for such storage to the northern side of the building. This area is less prominent. The applicant has also provided assurance that other existing waste including old refrigerators, shelves and building waste etc. will be removed from the site.

In terms of the proposed extensions, it is considered that their contemporary appearance will significantly enhance the visual aspect of the existing building.

### Privacy & Residential Amenity



A number of concerns have been received regarding the impact of the existing use on adjacent residents in terms of noise and vibration, pollution and general disturbance and opine that this will be exacerbated by the expansion plans. Concerns have also been raised in terms of overlooking of the existing bungalows at Close Dewi Medi from the first floor office windows.

As already mentioned the application site is a well-established storage and distribution centre for CK's supermarket. Planning permission was granted in 2002 to turn the majority of the unit into storage and distribution use. This permission was not subject to any restrictive conditions. The 2002 permission indicated that the southern section of the building was to be retained for retail use, however this has been used for storage and distribution for some time also. It is also worthy to note that planning permission was previously granted in 2007 to construct an extension where the single storey warehouse extension is now proposed. The 2007 permission was for a slightly larger extension than now proposed, however the permission itself was not implemented.

The current application does provide an opportunity to regularise operations at the application site to the benefit of local residents. Whilst the majority of the existing unit is not subject to restrictive conditions, the new proposals subject of this application can be restricted in the interest of preserving the residential amenity of local residents. In this respect suitably worded conditions are included in below.

The Authority's Head of Public Protection has been consulted and has raised no objection subject to conditions. Clarification has been sought from the applicant in terms of any plant and machinery required as part of the proposed development. Whilst there are no restrictive planning conditions on previous planning permissions granted, the Authority's Environmental Health Division have powers to take action against any activity that could be classed as a statutory nuisance.

In terms of overlooking from first floor windows in the new office block, the plans submitted indicate that the high level windows proposed in the southern elevation at first floor will be obscure glazed. A condition to ensure this can be imposed on any planning permission granted.

#### Biodiversity Impacts

The application site has been accompanied by a bat survey which found no signs of bats roosting within the building proposed for alterations and extension. As such an EPS licence is not required. This report has been considered by the Authority's Planning Ecologist who has raised no objection subject to the imposition of precautionary conditions on any planning permission granted.

#### Highway Impacts

With regards to highway impacts, whilst the proposals will expand operations at the site, the submitted plans indicate a number of changes that will improve matters in both highway safety and residential amenity terms. The car parking provision within the site is to be formalised and a condition can be imposed on any planning permission granted to ensure that this is the case. The internal circulation routes

within the site, waiting area and loading areas for Lorries are clearly delineated and again can be secured via appropriately worded conditions. In this respect the application site has a very large curtilage with sufficient space to regularise such provision.

As aforementioned also, the revised plans also propose a perimeter fence that will prevent conflict between Lorries and members of the public who currently walk across the site. An alternative footway link is to be provided and can be secured via conditions.

The eastern perimeter fence is to make provision for security vehicle access only and a condition to ensure that only security vehicles use these access points can be imposed on any planning permission granted.

The application has been accompanied by a traffic management plan indicating the distribution routes used by Lorries coming and going from the site. In this respect the primary road network to the south of the site is used by Lorries that can travel eastwards to the M4 and Swansea, and to the west towards the rest of Carmarthenshire. A staff travel plan has also been submitted that indicates that the company encourages staff to utilise travel means other than via the use of the private car.

The Authority's Head of Transport has been consulted on the application and has raised no objection.

#### Flood Risk & Drainage Implications

In terms of flooding the application site is located within a C1 flood zone as defined by TAN15 Development Advice Maps i.e. areas of the floodplain which are developed and served by significant infrastructure, including flood defences.

This proposal, for an extension to an existing building, is classed as less vulnerable development according to TAN15. Development in zone C must first be justified in accordance with Section 6 of TAN15, and in this respect Paragraph 6.2 below is applicable.

6.2 New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement<sup>1</sup>; or,

- ii Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
- iii It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,
- iv The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

In relation to the justification test the proposal does contribute to key employment objectives by creating an additional 10 full time jobs, and relates to previously developed land. The application has been accompanied by a Flood Consequence Assessment and whilst the proposal does not comply with tables A1.14 and A1.15 of TAN15 in terms of flooding depths, NRW acknowledge that the proposal is for an extension to an existing building used for less vulnerable uses, and therefore given the scale and nature of the proposals offer no objection. Therefore the LPA considers that the proposal meets the justification tests referred to under TAN15.

In terms of drainage, foul water is to be disposed of to the mains sewer and DCWW has raised no objection in this respect. With regards to surface water disposal, percolations tests undertaken at the site indicate that infiltration is not an option and therefore attenuated discharge to the main sewer is proposed. In this respect DCWW and the Authority's Land Drainage section have not raised any objection. There will be no increased surface water runoff from the first floor extension as there is no increased roof area, whilst the likelihood is that surface water runoff from the area where the ground floor extension is proposed already enters the main sewer, albeit currently at an un-attenuated rate.

#### Other Matters

Reference has been made to an existing Public Right of Way that crosses the site. In this respect there is no designated PROW in this location, and locals have used the site as a shortcut on an informal basis across private land. Notwithstanding this, a revised pathway is proposed to compensate for the loss of access across the site as a result of the perimeter fencing proposed. The perimeter fencing will improve security and health and safety.

Finally, one objector has opined that there has been a lack of consultation. In this respect the Local Planning Authority has publicised the application in the correct manner.

## **Planning Obligations**

Not relevant.

## **Well-being of Future Generations (Wales) Act 2015**

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

## **Conclusion**

The application proposals will result in welcomed investment to the area and will create further employment opportunities. The proposals will visually enhance the existing development, regularise existing arrangements and result in improvements in terms of safety and security.

It is considered that there are no loss of amenity issues associated with the proposed development whilst the issues of concern and objection raised have adequately been addressed as part of the above appraisal.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval subject to the following conditions.

### **RECOMMENDATION – APPROVAL**

## **Conditions**

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
  - Proposed site plan (103) 1:500 @ A3 received 9<sup>th</sup> May, 2019;
  - New extension – roof plan (304) 1:100 @ A1 received 30<sup>th</sup> April, 2019;
  - Proposed steelwork elevations (303A) 1:200 @ A1 received 30<sup>th</sup> April, 2019;
  - Topographical survey (102) 1:500 @ A3 received 30<sup>th</sup> April, 2019;
  - Existing floor plans and elevations (200A) 1:200 @ A1 received 30<sup>th</sup> April, 2019;
  - Proposed drainage plan (201B) 1:1000 @ A3 received 30<sup>th</sup> April, 2019;
  - Proposed office scheme/first floor plans (202-3) 1:100 @ A1 received 30<sup>th</sup> April, 2019;
  - New extension – foundation plan (301-A) 1:50 @ A1 received 30<sup>th</sup> April, 2019;

- New extension ground floor plan (302) 1:100 @ A1 received 30<sup>th</sup> April, 2019;
  - Existing steel work – section at Gridline A & H (503) 1:100 @ A2 received 30<sup>th</sup> April, 2019;
  - Existing steelwork – elevation at Gridline 1 & 5 (502) 1:50 @ A2 received 30<sup>th</sup> April, 2019;
  - Existing steelwork – Gridlines (501) 1:100 @ A1 received 30<sup>th</sup> April, 2019;
  - Proposed fencing (elevations in boundary) (402-02) 1:200 @ A1 received 30<sup>th</sup> April 2019;
  - Existing drainage/trial pit location (204) 1:500 @ A3 received 30<sup>th</sup> April, 2019.
  - Site location plan (100) 1:2500 @ A4 received 6<sup>th</sup> June, 2019
  - Red line plan (101) 1:1000 @ A4 received 6<sup>th</sup> June, 2019
  - Existing car parking plan (401A) 1:500 @ A3 received 6<sup>th</sup> June, 2019
  - Proposed car parking plan (402B) 1:500 @ A3 received 6<sup>th</sup> June, 2019
  - Proposed ground floor plan (202-2) 1:100 @ A1 received 6<sup>th</sup> June, 2019
  - Proposed elevations (202-1C) 1:200 @ A1 received 19<sup>th</sup> June, 2019
  - Proposed ground floor plan (202-2) 1:100 @ A1 received 19<sup>th</sup> June, 2019
- 3 The development should be carried out in strict accordance with section 10 of the Preliminary Ecological Appraisal undertaken by Just Mammals dated August 2018 and received by the Local Planning Authority on the 23<sup>rd</sup> August, 2018.
- 4 The development hereby permitted must be carried out in strict accordance with the submitted proposed fencing scheme detailed in the proposed site plan [103] 1:500 submitted on 9<sup>th</sup> May 2019 to ensure there is no disturbance to the soil within 7m of the Japanese Knotweed stands.
- 5 The proposed development site is crossed by an 1850mm and a 700mm public sewer. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 9 metres either side of the centreline of the 1850mm and 3.5 metres either side of the centreline of the 700mm public sewer.
- 6 No development shall commence until full details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the Local Planning Authority. This should include micro drainage input and output data for the drainage system design together with flood event runs and attenuation requirement calculations. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity
- 7 Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.

- 8 Prior to the construction of the extensions hereby approved samples of the materials to be used in the construction of the external surfaces of the development should be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 9 Prior to the commencement of development full details of the new 1.5m wide footpath diversion to the north eastern corner of the application site should be submitted to and approved in writing by the Local Planning Authority. The approved path should be provided prior to the beneficial use of the development hereby approved.
- 10 Before the development hereby permitted is brought into use, the first floor windows in the southern elevation of the office extension shall be fitted with obscure glass and shall be permanently retained in that condition thereafter.
- 11 Prior to the commencement of development on the ground floor extension, the new refuse area to the northern side of the building as shown on the approved drawings should be constructed to the written approval of the Local Planning Authority.
- 12 The parking spaces and layout shown on the plans herewith approved shall be surface delineated and provided to the written approval of the Local Planning Authority 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.
- 13 The lorry waiting bays, loading bay and keep clear zones layout shown on the plans herewith approved shall be surface delineated and provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for their specific purposes. In particular, no part of these area shall be obstructed by non-motorised vehicles.
- 14 The two vehicular access points shown on the eastern boundary of the application site should be used for security access only as specified on the approved drawings and should not be used by staff, visitors or for delivery purposes.
- 15 There shall be no external storage of materials at the application site other than in the areas shown on the approved drawings.
- 16 Within 12 months of the date of this planning permission the unauthorised steel containers attached to the eastern side of the building shall be removed from the site in their entirety to the written approval of the Local Planning Authority.
- 17 The use of the development hereby approved including deliveries to and from the development shall not be carried out outside the hours of 6.30am to

5.00pm Monday to Friday, 7.00am to 12.00 pm on Saturdays, and not at all on Sundays and Bank Holidays.

18. The rating level of sound emitted from any fixed plant or machinery associated with the development shall not exceed the existing background sound level. The rating sound levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for Rating and Assessing Industrial and Commercial Sound and/or its subsequent amendments.
19. Within 28 days from the receipt of a written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of sound immissions arising from the development to determine whether they exceed the sound levels specified in condition 18. The assessment shall be undertaken under the supervision of the Local Authority.
20. In the event that Condition 18 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the sound level specified in condition 18. These measures will then be implemented forthwith.

## **Reasons**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2+8 In the interest of visual amenity.
- 3 To avoid harm to protected species.
- 4 To avoid the spread of invasive species.
- 5 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.
- 6 To ensure a satisfactory means of surface water drainage.
- 7 To ensure that the amenity of local residents is adequately protected from dust during demolition/construction.
- 9 In the interest of ensuring permeability and promoting active travel.
- 10+17 To preserve residential amenity.

11 To compensate for the loss of the existing refuse storage area and in the interest of visual amenity

12-14 In the interest of highway safety.

15-16 In the interest of visual and residential amenity.

18-20 To preserve residential amenity

## **REASONS FOR GRANTING PLANNING PERMISSION**

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

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP2 of the LDP in that the proposed development is resilient to the impact of climate change.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy GP1 of the LDP in that it is appropriate in terms of scale and design, and will not cause unacceptable loss of amenity to neighbouring uses.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the proposed development is located within the defined settlement limits of Llanelli.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.



- It is considered that the proposal complies with Policy EMP3 of the LDP in that the development is of an appropriate scale and will not result in adverse amenity issues.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.

## Notes

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

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

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

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

- 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](http://www.carmarthenshire.gov.uk)).

<b>Application No</b>	<b>S/38535</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	EXPANSION OF TRAVELLER SITE S/34755 (APPROVED 20.03.2018) TO ALLOW A THIRD PITCH FOR A FAMILY MEMBER, PLUS CHANGES TO THE LANDSCAPING SCHEME AND TO ALLOW THE SITE TO HAVE A PERMANENT CONSENT AT LAND AT HILLSIDE VIEW, HENDY, LLANNON, LLANELLI, SA14 8JX

<b>Applicant(s)</b>	MR ADAM EVANS & FAMILY, HILLSIDE VIEW, HENDY, LLANON, SA14 8JX
<b>Agent</b>	HAYSTON DEVELOPMENTS & PLANNING LTD, MR ANDREW VAUGHAN-HARRIES, THE PLANNING STUDIO, HAYSTON BRIDGE, JOHNSTON, HAVERFORDWEST, SA62 3HJ
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Hendy
<b>Date of validation</b>	11/03/2019

**The application is being reported back to Planning Committee following the meeting on 25 July 2019 where Members requested to undertake a site visit.**

## Reason for Committee

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

## Site

The application site consists of an irregular shaped parcel of land located on the south westerly flank of the B4306 in a countryside location to the north of the village of Hendy. The site is located approximately 1.4 kilometres to the north of the built form of the village and extends to approximately 0.5 of a hectare in area.

The southern part of the site presently comprises residential accommodation in the form of two no. static caravans, two mobile caravans, utility/day room and timber

stable building. The excavation works and siting of the residential accommodation was granted planning permission at Planning Committee for a temporary period under permission reference. S/34755 in March 2018.

Access is via the B4306 at the southern end of the site. Timber boarded fencing is erected around the southern element of the site along its boundary with the B4306. Initial excavation work has begun at the northern part of the site to create the additional hardstanding area for the third pitch proposed as part of this application.

The surrounding area is of a rural character and appearance consisting of field enclosures interspersed with wooded areas. The roadway has no footways or pedestrian facilities. The site is approximately 2.7 kilometres from the centre of the village of Hendy and its facilities and services while the village of Llannon is located some 4 kilometres to the north along the B4306.

## **Proposal**

The current planning application seeks planning permission for the siting of a third additional pitch comprising one residential caravan, a utility/day room, parking for one touring caravan and two vehicle parking spaces with new timber perimeter fencing to the north of the existing two pitches at the site. In addition, the application seeks to remove reference to named occupiers of the site as specified by condition 3 of the approved scheme and remove the temporary four year period as referred to under condition 4 of the approved scheme for a permanent permission. The application also includes details regarding the landscaping and future management plan as referred to within conditions 8 and 9 of the previous permission. Floor plans and elevations of the proposed utility/day rooms are also provided as part of this submission, as required by condition 14 of the previous scheme.

The Planning Statement submitted with the application states that the extension and additional pitch is required to accommodate the applicant's eldest daughter, Nicole Lee (formerly Evans) who has recently married Mr Jordan Lee, a member of long-established local Romany Gypsies. At present they have no permanent accommodation and are residing in a temporary caravan on the driveway of Mr Jordan Lee's father in Llanelli. The additional pitch is proposed to allow Nicole Lee and her husband to live alongside her parents and grandparents and continue living her gypsy lifestyle.

The new touring caravan is proposed to be located to the north east along the boundary with the B4306. The static caravan is proposed along the northern boundary with parking spaces to the west and the proposed day/utility room adjacent. The day/utility room is proposed to be sited on a concrete pad with doors on the east and west elevation. The walls are composite cladding walling in grey or light brown colour, windows and doors are proposed to be powder coated metal or uPVC in grey or light brown with rain water goods in grey uPVC. Details concerning the existing Portacabin on site, approved as part of the previous permission, have been provided and the agent has confirmed that it is their client's intention to have two permanent day rooms on site as per the submitted plan Proposed Floor Plan and Elevations of New & Consented Utility / Day Rooms (drawing no. 04e) rather than the existing Portacabin presently serving the two existing pitches.

Foul water from the additional pitch is proposed to connect to the existing foul drainage system within the southern part of the site and then be disposed of via the existing septic tank located in the southern corner of the site close to the access. Surface water is disposed of via soakaways as per the existing development at the site.

The remaining northern half of the site is to remain as a field paddock and is accessed from the hardstanding area via a gated entrance adjacent to the stable building. The applicant is also currently renting a further 4 hectares of land to the south of the site on the opposite side of the B4306 to graze his horses.

Hedgerow translocation works were undertaken at the site in order to improve visibility. Conditions 8 and 9 of the previous permission required the submission of details and a method statement regarding the translocation of the hedgerow together with a landscape scheme within 2 months from the date of the permission (March 2018). Unfortunately details were not provided and the works were carried out in advance of the conditions being discharged. The current submission includes details of the work undertaken and landscape management and maintenance plan.

## Planning Site History

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

S/34755	TWO STATIC RESIDENTIAL CARAVANS TOGETHER WITH THE ERECTION OF A DAY/UTILITY ROOM, TWO TOURING CARAVANS AND A STABLE BLOCK (PARTLY RETROSPECTIVE)	Full Granted 20/03/2018
S/33962	CLOSURE OF EXISTING ROAD ENTRANCE AND OPENING A NEW ROAD ENTRANCE	Full Granted 15/08/2016

## Planning Policy

In the context of the Authority's current Development Plan the site is located in the countryside outside the development limits of settlements defined within the adopted Local Development Plan (LDP). Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces

SP3 Sustainable Distribution- Settlement Framework

GP1 Sustainability and High Quality Design

GP2 Development Limits

H7 Gypsy and Traveller Sites

TR3 Highways in Developments – Design Considerations

EQ4 Biodiversity  
EQ7 Development within the Caeau Mynydd Mawr SPG Area  
EP3 Sustainable Drainage

### [Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

National policy advice relating to gypsy and traveller caravan sites is set out in Welsh Assembly Government Circular 005/2018.

## **Summary of Consultation Responses**

**Head of Transportation & Highways** - No observations subject to same conditions as recommended on planning permission S/34755.

**Llanedi Community Council** – Object to the application due to it be unsustainable development in the open countryside and requests that the temporary consent is extinguished at the end of the allocated period.

**Local Member(s)** – No response received to date.

**Natural Resources Wales** – No objection, comment make reference to potential requirement for environmental permit.

**Dwr Cymru/Welsh Water** – No comments/objections.

**Sustainable Drainage Approval Body** – highlights new requirements regarding sustainable drainage systems introduced from 7 January 2019.

**Forward Planning** – The Revised Local Development Plan (LDP) is currently being prepared and progressing with identifying a Gypsy and Traveller site with anticipation that it will be defined as an allocation within the Deposit LDP to be published later this year.

**Planning Ecology** – satisfied with the ecological recommendations provided within the submitted documents. Should permanent consent be granted then a contribution of £1043 per dwelling would be required towards Caeau Mynydd Mawr in line with the SPG.

**Housing** – currently considering potential new sites in the Llanelli area with the aim of satisfying the current need and new pitches as part of the LDP.

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 posted on the entrance to the site. In response, one third party letter of concern has been

submitted on behalf of 5 separate neighbours and further verbal comments have been received from neighbours which raises the following concerns:

- Application is considered unacceptable;
- The land is remote and within an area of previously unblemished countryside;
- The development is unsightly and not in keeping with the surrounding area;
- Applicant is actively trying to purchase more land to use for caravans, lorries and rubbish scrap which will ruin the existing green valley;
- Reference is made to lies being told to community regarding electricity connection;
- The applicant is running an unauthorised business from the site;
- The applicant does not rent the land opposite the site for grazing horses as referred to in the submission.

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

## **Appraisal**

### Principle of development

The use of the site for gypsy and traveller accommodation has previously been accepted through the granting of planning permission reference. S/34755, albeit for a temporary period of four years from March 2018. The extension currently proposed seeks an additional pitch to allow the applicants daughter and husband to reside at the site also. The Planning Statement submitted in support of the application confirms that Mr Jordan Lee is a member of the long-established local Romany Gypsies, and similar to the applicant and his father, Mr and Mrs Lee wish to continue their gypsy lifestyle.

On the basis of the information provided, it is considered that the gypsy status of the applicant and intended occupier for the additional pitch is confirmed. Furthermore, the use of the site for a gypsy and traveller pitches has been accepted through the granting of temporary planning permission for a period of four years, of which it is presently year 1 with another three years remaining on that permission.

Circular 005/2018 requires that the Authority make provision for gypsy and traveller caravan sites in the County through site allocation where a need is identified, along with criteria-based policies. Ongoing work is being undertaken by the Council's Forward Planning team to identify and allocate new site within the Deposit LDP expected later this year. Similarly, the Authority's Housing team have advised they are undertaking an update to the Gypsy and traveller Needs Assessment this summer to inform the LDP and are considering potential new sites within the Llanelli area, of which they aim to progress with in advance of formal LDP adoption. Notwithstanding this there are currently no allocated sites in the Llanelli area at present with the LDP relying on a criteria based policy whereby proposals for new sites are considered against the requirements of Policy H7 of the Plan, as referred to above.

Circular 005/2018 advises that the granting of a temporary permission may be justified in respect of gypsy proposals where, firstly, there is a reasonable expectation that new sites are likely to become available at the end of the period in the area which will meet the identified need and, secondly, there are no overriding objections on other grounds. Whilst the applicant is seeking to establish a new privately owned site in the absence of the availability of a suitable existing site or allocation, given the Authority's intention to identify and designate a new site in the revised LDP to meet the identified need in the Llanelli area, it is considered reasonable in this instance to grant a temporary permission for a four year period. This approach is consistent with the Circular advice in that there is an expectation that a new site will be allocated in the LDP and ultimately provided by the Authority thereby allowing the consolidation of such developments on a suitable site rather than having individual piecemeal developments in countryside locations in the wider Llanelli area.

The agent was advised of the recommendation for a further temporary consent allowing the additional pitch but for a period of four years whilst the search is ongoing to identify a new gypsy and traveller site. The agent has expressed his client's frustration at the recommendation for another temporary four year period and feels significant justification has been provided for the permanent use of the site. They have also advised that the applicant has already invested heavily on the site but the final electricity connection cost is substantial and a further temporary approval results in additional uncertainty for them. Nevertheless, in light of the foregoing assessment and current position regarding identification of a new site, a temporary consent is considered appropriate.

Turning to the matter concerning unrestricted use of the site, the Planning Statement argues that this is no longer appropriate given it restricts the freedom of movement within the Gypsy community. In this case, given the additional pitch is specifically sought to allow Mrs Nicole Lee and husband to move closer and reside alongside her parents and grandparents, it is considered that the imposition of a condition referring to the occupants does not restrict the applicant from achieving their desired outcome. A similarly worded condition to condition 3 of the previous consent is suggested to be included with specific mention to Mr & Mrs Jordan and Nicole Lee.

### Other Matters

Turning to other matters, the Highway Authority have confirmed that they have no comments or objections to the scheme subject to the imposition of the same conditions as per the previous permission. The impact on Biodiversity has been considered and the Planning Ecologist is satisfied with the ecological recommendations provided within the submitted documents. The recommendations meet the LDP policy objectives listed above and the requirements of the Environment Act Wales 2016, a relevant condition is required to ensure compliance with the recommendations.

A common theme of objection from neighbours and the Community Council is the unsustainable location and landscape and visual impact. Whilst the site is located in an area of countryside, as referred to above, the use of the site for gypsy and traveller pitches has previously been accepted by the Authority. Furthermore, advice contained in Circular 005/2018 provides that gypsy sites in the countryside, away



from existing settlements, can be considered suitable for Gypsy and Traveller sites if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries. The site is not located within an area subject to any landscape or environmental designations, albeit it fronts a public highway. The current application proposes provision of an additional pitch and the visual and landscape impact is not considered to unacceptably challenge the objectives of the Circular or policies H7 or GP1 of the LDP, given the level of the land and existing hedgerow along the site provides screening.

## **Planning Obligations**

The Authority's Planning Ecologist has advised that the site is located within the Caeau Mynydd Mawr SPG area whereby developments that will potentially impact upon the Caeau Mynydd Mawr Special Area of Conservation are required to make a financial contribution to mitigate for the loss of habitat that will occur as a result of the development. However, in this instance it is considered unreasonable to request such a contribution given the intention to grant a temporary permission and the requirement to re-instate the land following this period. Should a permanent consent be granted then a contribution is required.

## **Well-being of Future Generations (Wales) Act 2015**

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

## **Conclusion**

After careful consideration of the scheme as submitted, together with the representations received to date, it is concluded on balance that the proposal accords with the objectives of the aforementioned policies and is therefore presented with a recommendation for approval.

The use of the site for Gypsy and Traveller pitches has previously been accepted by Authority through the granting of planning permission (ref. S/34755) for two pitches by the Planning Committee in March 2018. In light of the current and ongoing work by the Authority's Housing and Forward Planning teams to identify a new gypsy and traveller site, granting of a temporary permission for a period of four years is considered reasonable in this instance.

The provision of an additional pitch is specifically required to accommodate the applicant's daughter and husband and therefore reference to Mr & Mrs Jordan and

Nicole Lee within a similarly worded condition to condition 3 of the previous consent is considered appropriate in this instance.

The details submitted regarding the landscape, hedgerow and future maintenance are accepted by the Council's Ecologist subject to a new condition in place of conditions 8 and 9 of the previous permission. Finally, the floor plans and elevations of the day/utility room, as required to be submitted under condition 14 of the previous permission, are considered satisfactory.

In light of the foregoing, the application is put forward with a favourable recommendation subject to the imposition of the following conditions.

## **RECOMMENDATION – APPROVAL**

### **Conditions and Reasons**

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the details shown on the following schedule of plans and documents:-
  - Expanded Location and Block Plans (drawing no. 01d) scale 1:5000 received 1 February 2019;
  - Site and location plan (02d) received 1 February 2019;
  - Site Plan (drawing no. 03d) scale 1:200 received 1 February 2019;
  - Proposed Floor Plan and Elevations of New & Consented Utility / Day Rooms (x 2) (drawing no. 04e) received 1 February 2019;
  - Existing & Proposed Context Sections - South-West to North-East (drawing no. 05d) scale 1:100 received 1 February 2019;
  - Consented Scheme - Site Plan (drawing no. 06c) scale 1:200 received 1 February 2019;
  - Consented Scheme - Context Section (drawing no. 07c) scale 1:200 received 1 February 2019;
  - Floor Plan and Elevations of Portacabin Utility / Day Room Consented Scheme (drawing no. 08c) received 1 February 2019;
  - Consented Scheme - Floor Plan and Elevations of Store / Stable Block (drawing no. 09c) scale 1:100 received 1 February 2019;
  - Consented Scheme - Septic Tank Installation Details (drawing no. 10c) scale 1:20 received 1 February 2019;
  - Consented Scheme Plan Showing Overall Visibility Splays to Both Side of Entrance (drawing no. 11c) scale 1:500 received 1 February 2019;
  - Consented Scheme Plan Showing Area Affected by Improved Visibility / Translocation Works to LHS on Plan of Entrance (drawing no. 12c) scale 1:100 received 1 February 2019;
  - Consented Scheme Plan Showing Area Affected by Improved Visibility

/ Translocation Works to RHS on Plan of Entrance (drawing no. 13c) scale 1:100 received 1 February 2019;

- Consented Scheme - Expanded Plan Showing Area Affected by Improved Visibility / Translocation Works to LHS on Plan of Entrance Sheets 1-5 (drawing nos 14c, 15c, 16c, 17c & 18c) received 1 February 2019;
- Consented Scheme - Expanded Plan Showing Area Affected by Improved Visibility / Translocation Works to RHS on Plan of Entrance Sheets 1-6 (drawing nos 19c, 20c, 21c, 22c, 23c & 24c) received 1 February 2019;
- Appendix A Landscape Plan (drawing no. ARW1052:01 Rev B) received 8 March 2019;
- Landscape Plan Implementation and Maintenance details received 8 March 2019;
- Planning Statement & Justification Report prepared by Hayston Developments & Planning Ltd received 1 February 2019.

- 3 The site shall not be occupied by any persons other than gypsies and travellers as defined in Section 108 of the Housing (Wales) Act 2014 and Paragraph 2 of Circular 005/2018 – ‘Planning for Gypsy, Traveller and Showpeople Sites’.
- 4 The development hereby approved shall only be occupied by the following and their resident dependents: Mr Adam Evans; Miss Leane Evans; Mr Clarence Charles John Evans, Ms Jean Clarke, Mr Jordan Lee and Mrs Nicole Lee.
- 5 When the land ceases to be occupied by those named in condition number 4 above, the use shall cease and all caravans, structures, materials and equipment brought onto or erected on the land, or works undertaken to it in connection with the use (with the exception of the hedge translocation works, planting proposals and new field entrance previously approved under planning application reference S/33962), shall be removed and the land shall be restored to its condition before the development took place within six calendar months of that date.

- 6 The permission hereby granted is for a temporary period of four years from the date of this planning permission following which the use shall cease and all caravans, buildings, structures, materials and equipment brought on to, or erected on the land, or works undertaken to it in connection with the use (with the exception of the hedge translocation works, planting proposals and new field entrance previously approved under planning application reference S/33962) shall be removed, and the land restored to its condition before the development took place within six calendar months of this date.
- 7 No more than three static and three touring caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time.
- 8 No commercial or business activities shall take place on the land, including the storage of materials, nor shall any vehicle over 3.5 tonnes be stationed, parked or stored on the site.
- 9 The development must be carried out in strict accordance with Appendix A of the Planning Statement and Justification Report and Landscape Plan Drawing No - ARW1052:01 RevB.
- 10 Any access gates shall be set back a minimum distance of 12.0 metres from the highway boundary, and shall open inwards into the site only.
- 11 A visibility splay of 2.4 metres by 160 metres shall be provided either side of the site access within 4 months of the date of this planning permission and shall be retained thereafter in perpetuity.
- 12 The parking spaces and layout shown on the plans herewith approved shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 13 The site access road shall be hard-surfaced for a minimum distance of 10 metres behind the nearside B4306 carriageway edge. The hard surfacing shall be fully carried out within 4 months of the date of this planning permission and retained thereafter in perpetuity.
- 14 The area of land situated to the north of the proposed additional third pitch, as shown on the Location and Block Plan drawing no. 02d, shall remain as a field paddock and only be used for the purposes of grazing horses. No structures or vehicles are to be sited on this area of land without prior approval in writing from the Local Planning Authority.

## **REASONS**

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

- 2 To ensure that only the approved works are carried out.
- 3+4 To restrict the occupancy of the site.
- 5 To ensure the restoration of the site when the use ceases.
- 6+7 To restrict the occupancy of the site and confirm the extent of the permission.
- 8 In the interests of visual amenity and safeguard the amenity of adjacent occupiers and land users.
- 9 In the interest of visual amenity and to safeguard/retain existing landscape features.
- 10-13 In the interests of highway safety.
- 14 In the interest of visual amenity and to confirm the extent of the permission.

## Notes

- 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.

- 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](http://www.carmarthenshire.gov.uk)).
- Please see the relevant responses from Dwr Cymru/Welsh Water, Natural Resources Wales and the Council's Planning Ecologist and Sustainable Drainage Body and refer to the recommendations and advice contained therein.

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<b>Application No</b>	<b>S/38787</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	CONSTRUCTION OF TWO DETACHED, TWO STOREY HOUSES AT FORMER BOWLS & SOCIAL CLUB, 38 LADY STREET, KIDWELLY, SA17 4UD

<b>Applicant(s)</b>	EDWARDS PROPERTIES - DELYTH AND WYN EDWARDS, TY BRYNBEDW, CYNHEIDRE, LLANELLI, SA15 5YF
<b>Agent</b>	
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Kidwelly
<b>Date of validation</b>	30/04/2019

## Reason for Committee

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

## Site

The site is the car park of the Bowls and Social Club, Lady Street, Kidwelly. The site is the car park to a commercial premises, so has historically been open to the public with space for up to approximately 20 cars.

The club has been closed for some time and is currently vacant having been bought by a small local developer. The Club has a flat at first floor, however it is understood that an application to change the use of the rest of the building to residential is imminent.

The parking area is to the South East of the Club and is within an area characterised by long burgage plots. The shortest rear garden backing onto the site to the South East is approximately 30m in length. It is noted that the houses backing onto the site have a collection of outbuildings and glass houses between the dwellings and the existing car park so the views are obscured.

## Proposal

The application seeks outline permission to establish the principle of two dwellings to the rear of the Bowls & Social Club. The indicative plan shows two detached dwellings with rear gardens of approximately 18m and parking to the front forming a courtyard with the parking for the rest of the site. The Club is understood to be subject to an imminent change of use application so without prejudice to the application, it will potentially have a reduced parking requirement.

The applicants have submitted a unilateral undertaking setting out the affordable housing contribution.

## Planning Site History

S/32540	Proposed single storey kitchen extension, minor alterations to existing toilet facilities and bar area and refurbishment of ground floor Full planning permission	01 October 2015
S/30840	Change of use to restaurant to sell hot food and alcohol (there is already a drinks licence) Full planning permission	27 October 2014
GW/02128	Proposed cellar and function room extension Full planning permission 2002	25 September
D5/10883	Change of use to social and bowls club Full planning permission	03 October 1988
D5/8256	Flat extension to existing premises Full planning refused	28 March 1985
D5/7377	Projecting sign Full planning permission	27 October 1983
D5/6960	Amusement centre Full planning permission	19 May 1983
D5/4047	Dwelling house and garage Full planning refused	25 June 1979
D5/3641	Dwelling house and garage Full planning refused	15 March 1979
D5/1741	Change of use of former workingmen's club to hairdressing salon and clothes shop Full planning permission	26 July 1976



## Planning Policy

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

SP1	Sustainable Places and Spaces
GP1	Sustainability and High Quality Design
<b>Error! Reference source not found.</b>	Development Limits
<b>Error! Reference source not found.</b>	Housing within Development Limits
<b>Error! Reference source not found.</b>	Affordable Housing
<b>Error! Reference source not found.</b>	Location of Development- Transport Considerations
<b>Error! Reference source not found.</b>	Highways in Developments- Design Considerations

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – Has queried the use of the Club if planning is granted for the car park and where future parking would be situated. A final response is awaited.

**Head of Public Protection** - No observations received to date.

**Kidwelly Town Council** – Has no objection to the proposal.

**Local Member(s)** - Councillor J Gilasbey is a member of the Planning Committee and has made no prior comment.

**Dwr Cymru/Welsh Water** – Has no objection to the proposed development.

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

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters/site notice/publication in the local newspaper.

2No. representations were received objecting and the matters raised are summarised as follows:

- Loss of amenity through overbearance.
- Devaluation of property.
- Loss of view of the castle.

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

## **Appraisal**

### Loss of Amenity

There is concern that the properties on an elevated site to the rear of the club would have an adverse impact on the amenity of neighbouring properties. It is however noted that the area is the car park of a commercial premises, so there could be comings and goings and public presence within close proximity to the boundaries. The presence of houses would be a permanent feature and there could be overlooking of garden areas from bedroom windows, however the neighbouring properties have rear gardens in excess of 30m with outbuildings including a large glass house present. It is likely that the separation distance between the new houses and neighbouring houses would be in excess of 40m and obscured by existing outbuildings. This is not considered likely to result in an unacceptable loss of amenity through overbearance.

The boundary to the East of the access road is currently open so there could be loss of amenity through the coming and going of residents, however as noted elsewhere in this report, the site is currently a car park, so the residential use is likely to have less traffic movements than the existing commercial usage. If boundary reinforcement is deemed necessary, a means of enclosure up to 2m would not require planning permission.

### Car Parking

The Head of Transport has queried the future use of the Club and where parking would be situated moving forward. It should be noted that the rest of the site does not form part of this proposal, however it is understood that an application for residential use is imminent. The merits of any redevelopment will be considered through the separate application, however a parking plan for the Club has been submitted. It is noted that even if the residential redevelopment of the Club does not take place, the site is in an urban setting with other establishments which do not have the benefit of parking so the reduction in car parking would not be critical.

Other Matters e.g. loss of view and devaluation are not material planning considerations.

## **Planning Obligations**

A Unilateral Undertaking has been submitted to secure an affordable housing contribution in accordance with Policy and Supplementary Planning Guidance.

## **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 re-use of the Club car park for residential purposes would be a beneficial re-use of a disused parcel of land for residential purposes. The site is large enough to accommodate two dwellings and the separation distances between the houses and the surrounding properties is such that it is not likely to have an unacceptable adverse impact. The access currently serves a commercial car park so the residential use is likely to be less intensive. Whilst there are two objections, it is considered on balance that the proposal is in accordance with the above policies.

## **RECOMMENDATION – APPROVAL**

### **Conditions**

- 1 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
  - a) the expiration of five years from the date of this outline planning permission;
  - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 2 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.

- 3 Development shall not commence until detailed plans of the layout, appearance and landscaping of the development, together with the means of access thereto, have been submitted to and been approved in writing by the Local Planning Authority.
- 4 The land subject to this permission is as identified on the 1:500 scale Site Plan dated 11<sup>th</sup> July 2019.
- 5 Any reserved matters application shall include a scheme of parking and turning facilities within the site dedicated to serve the proposal. The approved scheme is to be fully implemented prior to commencement of any other part of the development and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 6 Any gates shall be set back a minimum of 5m from the back edge of the pavement.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 The application is in outline only.
- 3-4 In the interests of visual amenity in accordance with Policy GP1.
- 5-6 In the interests of highway safety in accordance with Policy TR2 & TR3.

## Notes/Informatives

- 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 if 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.

- 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](http://www.carmarthenshire.gov.uk)).
- 3 The applicant/developer's attention is drawn to the legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £51.35 per square metre internal floor area.



<b>Application No</b>	<b>S/38916</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	SINGLE STOREY SIDE EXTENSION, INCLUDING ROOF LIGHTS, AS REPLACEMENT OF EXISTING ADJOINED OUTBUILDING, RAISED DECK AREA AND REPLACEMENT FLAT ROOF AT TRE NEDDYN, PONTARDDULAIS, SWANSEA, SA4 0FP

<b>Applicant(s)</b>	HELEN GROOM, TRE NEDDYN FARM, CROSSHANDS ROAD, PONTARDDULAIS, SA4 0FP
<b>Agent</b>	DIMENSION DRAWING SERVICES - IAN JONES, 15 STEBONHEATH TERRACE, LLANELLI, SA15 1NE
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llannon
<b>Date of validation</b>	04/06/2019

## Reason for Committee

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

## Site

The application site is a detached farm house in an elevated position immediately West and overlooking Pont Abraham services at a distance of approximately 400m. The farmhouse had a complex of traditional stone barns associated with it which have incrementally been sold off to third parties and converted to form residential dwellings. The barn closest and attached to the dwelling had planning permission in 2007 for three holiday lets under reference S/16376, however this permission was never implemented. The northernmost part of the original barn can still be seen, however most of it has been removed.

The site has a converted barn to the North and South East with the remains of the original barn still standing between the proposal and northern barn.

## Proposal

This application seeks retrospective planning permission for the demolition of the attached barn and replacement with a single storey side extension and external decking area, along with the replacement of an existing flat roof to an extension to the rear.

The extension has been built up to wall plate level and a ridge beam has been installed, however all works ceased when enforcement action was initiated.

The proposed extension is 6m deep by 6.8m long with a ridge height of 5.6m given the sloping nature of the site.

A raised decking protruding 2.9m from the end of the extension is proposed with a floor height 1.2m above ground and a privacy screen to protect the adjacent barn to the South East.

## Planning Site History

S/16376	Change of use from redundant milking parlour to 3 no. holiday lets Full planning permission	28 August 2007
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## Planning Policy

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

GP1 Sustainability and High Quality Design

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Llannon Community Council** - No observations received to date.

**Local Member** - Councillor E Dole has not commented to date.

**Local Member** - Councillor D Jones is a member of the Planning Committee and has made no prior comment.

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



## Summary of Public Representations

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

2No. representations were received objecting and the matters raised are summarised as follows:-

- The application is retrospective.
- The extension is to allow the applicant extra space to do B&B.
- Traffic generation.
- Loss of privacy.
- Unauthorised caravans.

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

## Appraisal

The application is a household extension in place of an attached barn which had the benefit of planning permission in 2007 for holiday units. The application is therefore being considered as a domestic extension to a residential dwelling.

### Retrospective Nature of the Application

It is noted that the proposal has been constructed to wall plate level and a steel beam has been installed to support the roof. The retrospective nature of the development is such that the impact on the neighbouring properties can be clearly assessed.

### Potential Use of the House as a B&B

The potential future use as a B&B is not relevant to the proposal for an extension. It is noted that the site previously had permission for a barn conversion for holiday purposes, so the principle of 3 units of holiday accommodation has been established. There appears to be access and parking which could be used for any such use, however the use of the house for a small scale B&B would not require planning permission.

### Traffic Generation

The proposal has been submitted as a householder application with no reference to any commercial activity. Notwithstanding the domestic use proposed, there was an historic application for 3No holiday units, so the principle of additional traffic was considered acceptable. As noted above, a small scale B&B would not require permission should the applicant have commercial intension once built.

### Privacy Impacts

It is noted that there is a barn to the north that would be clearly seen from the proposal. The barn however is at a distance of 18m measured directly in front of the window which is considered acceptable.

## Other Matters

The presence and use of residential caravans is noted and is subject to separate enforcement investigation. This is not material to the consideration of the extension.

## Planning Obligations

Not applicable.

## 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 extension is subordinate to the main dwelling and is not likely to have an unacceptable adverse impact on third parties. Whilst there is third party concern, the extension replaces a barn that had planning for 3No holiday units in 2007 and the impact on privacy and amenity is considered to be less than the previous scheme. On balance, the proposal is considered to be acceptable and in accordance with the above policies.

## RECOMMENDATION – APPROVAL

### Conditions

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 4 June 2019.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 3 June 2019:-
  - 1:100 scale Existing and Proposed Floor Plans and Elevations [hel-01 Rev 0A];
  - 1:1250 & 1:500 scale Location and Block Plans.
- 3 External wall and roof materials shall match those of the original house.

- 4 The privacy screen on the raised decking shall be no less than 1.8m tall and be of an obscure material. The screen shall be erected prior to the beneficial use of the proposal and shall be retained in perpetuity.

## Reasons

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2-3 In the interests of visual amenity in accordance with Policy GP1.
- 4 To protect the amenity of the adjacent property in accordance with Policy GP1.

## Notes/Informatives

- 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 if 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.

- 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](http://www.carmarthenshire.gov.uk)).

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*Ardal Del/  
Area South*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR  
AMGYLCHEDD**

**REPORT OF THE  
HEAD OF PLANNING,  
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY  
COUNCIL'S PLANNING COMMITTEE**

**AR 06 AWST 2019  
ON 06 AUGUST 2019**

**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.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>06 AUGUST 2019</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>S/38255</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	RESIDENTIAL DEVELOPMENT FOR 35 DWELLINGS AND ASSOCIATED WORKS (RESUBMISSION OF S/35215) AT LAND OFF CLOS BENALLT FAWR, FFOREST

<b>Applicant(s)</b>	PERSIMMON HOMES WEST WALES - MR RYAN GREANEY, DRAGON HOUSE, PARC Y DDRAIG, PENLLERGAER BUSINESS PARK, SWANSEA, SA4 9HJ
<b>Agent</b>	
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Hendy
<b>Date of validation</b>	21/12/2018

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than five objections from third parties. The application is subject to an Article 18 Holding Direction from Welsh Government.

## Site

The application site consists of an irregular shaped parcel of land located to the north of the Clos Benallt Fawr housing estate off the A48 in Fforest. The revised site area (excluding the SLA) measures approximately 1.8 hectares forming part of a larger field enclosure that bounds the northern edge of the housing estate and the rear gardens of neighbouring properties that flank the eastern side of Llanedi Road. The site consists of agricultural improved grassland that is managed by grazing.

The levels of the site fall gradually towards its eastern boundary which is undefined and merges with the remainder of the field enclosure. The northern and western boundaries are defined by hedgerows and trees with a single mature oak tree located centrally within the site and covered by a Tree Preservation Order (TPO). The site's boundary with the Clos Benallt Fawr consists of a mix of fencing types that enclose the side and rear gardens of neighbouring houses.

Access to the site is via the estate road of the Clos Benallt Fawr estate which is characterised by large detached houses with garaging facilities and front driveways. The surrounding area is primarily residential in character consisting of large detached properties as well as a mix of semi-detached and terraced properties. There are areas of countryside to the north and east of the site defined as a Special Landscape Area (SLA) within the current Local Development Plan (LDP) which include a mix of woodland and field enclosures that slope down towards the river Loughor located further to the north and east.

## Proposal

The proposal seeks full planning permission for the construction of 35 dwellings together with associated access, parking, landscaping and drainage works. The scheme comprises a re-submission following refusal of planning permission (application ref. S/35215) and dismissal of an appeal for 53 dwellings at the site in November 2018. The current scheme seeks a reduction in the number of dwellings and relocation of the attenuation pond out of the SLA in line with the comments received from the Inspector during the consideration of the appeal. Furthermore, the area of land which falls within the SLA and outside of the residential allocation has now been removed from the planning application.

The proposed application consists of predominantly two storey detached properties (31) and semi-detached properties (4), that will provide a range of 2, 3, 4 and 5 bedroom accommodation. The layout of the development seeks to work with the existing topography of the site, existing landscape features and the character of the surrounding area. Vehicular access to the development is to be achieved via the continuation of the Clos Benallt Fawr estate road in a northerly direction through the site before turning upslope in a westerly direction beyond the existing mature oak tree to traverse the housing development. The new estate road will be constructed to an adoptable standard with a 5.5 metre wide carriageway and flanking footways. A shared private drive is proposed to the north east of the site for plots 8 and 9 and to the south west of the site providing access to plots 27-31.

Similar to the previous scheme at the site, the proposed houses are to be arranged around and oriented towards the estate road. The majority of dwellings have a dedicated driveway and car parking to the front or side of the property, some dwellings have parking and garages located to the rear of the property. Private garden areas are provided to the rear of the houses. The existing mature Oak tree is to be retained as part of the development and will be surrounded by an area of open space that will be centrally located and form a focal point of the development. It is to include grassed and landscaped areas as well as pathways and informal areas of play and its central location will ensure high levels of passive surveillance from the surrounding houses.

The houses will have traditional pitched roof designs some with front gables and elevations consisting of a mix of facing brick types to complement the neighbouring Clos Benallt Fawr estate while at the same time creating visual interest and variation in the street scene. Interest and variation is also provided through the different house types proposed and arrangement of properties, garages and parking within the street scene.

Parking within the scheme is provided via a mix of solutions that include garaging facilities and side and front driveways. The change in levels across the site will require an element of cut and fill earthworks as part of the development although the scheme seeks to retain

existing levels where possible. The layout includes retaining wall features in areas of the development to accommodate the change in levels while a number of houses, particularly those located in the eastern part of the site have raised rear terraces.

Similar to the previous scheme, the application has been accompanied by a detailed landscaping scheme which provides for the retention of the existing landscape features along the site's perimeter as well as the implementation of new planting frameworks within the central area of open space and the site's eastern boundary. In particular, new wildflower planting is proposed throughout the central area of open space and along the southern boundary. Robust planting treatments including native tree planting are also provided throughout the development and boundary treatment measures are to consist of a mix of new hedgerows, face brick walling and fencing. The scheme includes the provision of a vehicular access to the neighbouring field enclosure to the east with this being located close to the entrance to the development.

The application has been accompanied by a range of supporting information which include the following:

- Drainage Strategy and Flood Risk Assessment;
- Planning Statement;
- Design and Access Statement;
- Site investigation Report;
- Pre-application Consultation Report;
- Preliminary Ecological Assessment;
- Transport Statement;
- Tree Survey and Arboricultural Method Statement;
- Landscape Specification and Management Plan;
- Soil Resources Management Plan

The drainage strategy and flood risk assessment confirms that the site is located within zone A as defined under Technical Advice Note (TAN) 15: Development and Flood Risk (2004) whereby it is considered to be at little or no risk of fluvial or tidal flooding. It sets out a strategy to dispose of surface water run-off from the development to the wider drainage network utilising the existing greenfield run-off rate from the site that discharges east from the site. This rate shall be controlled from site via a Hydro Brake flow control device and will finally discharge via an existing open ditch to the north east of the site. This existing ditch manages current run-off and ultimately discharges to the River Loughor 200-300m to the east of the site. The proposed attenuation is provided through underground storage tanks centrally located within the area of open space and shall be designed to accommodate up to the 100 year event, plus 30% climate change. The adoptable piped system shall be designed up to the 1 in 100 plus 30% and covered under a Section 104 Agreement with Welsh Water.

Foul water from the development will discharge to an existing public sewer located within the south eastern part of the site.

A review of the initial preliminary ecological assessment was undertaken to reassess the biodiversity value of the site and assess the potential ecological impacts of the proposed development. The report confirms that the site consists of agriculturally improved grassland and is not considered to be of biological importance and unlikely to support protected species. Notwithstanding this, it highlights the possible presence of breeding birds and bats in the hedgerows and trees within the site and makes a number of

recommendations with regard to the retention and protection of the same. Allied to this, the Arboricultural Method Statement details a series of measures proposed to protect the existing trees and hedgerows bordering the site as well as tree surgery works to the mature oak tree in the centre of the site that are necessary to ensure its longevity.

The transport statement provides an assessment of the likely highway and transportation impacts of the development upon the local network and concludes that the development is acceptable in highway terms. The pre-application consultation report provides an appraisal of the responses received in respect of the consultation exercise undertaken by the applicant and sets out to address the issues raised.

## Planning Site History

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

S/35215	Residential development for 51 dwellings together with associated works Full planning application refused Appeal dismissed	5 May 2018 23 November 2018
PA/14589	Residential Development (62 Units) (Statutory Pre-application enquiry)	27 May 2016
D5/11217	Residential Development Outline planning refused	5 June 1989

## Planning Policy

In the context of the Authority's current Development Plan the site is located within the Development Limits of Hendy and allocated for residential development for 35 dwellings under Policy H1 the adopted Local Development Plan (LDP). Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces

SP2 Climate Change

SP3 Sustainable Distribution- Settlement Framework

SP5 Housing

SP6 Affordable Housing

SP9 Transportation

SP14 [Protection and Enhancement of the Natural Environment](#)

SP16 Community Facilities

SP17 Infrastructure

GP1 Sustainability and High Quality Design

GP2 Development Limits

GP3 Planning Obligations

GP4 Infrastructure and New Development

H1 Housing Allocations

AH1 Affordable Housing

TR2 Location of Development- Transport Considerations  
TR3 Highways in Developments- Design Considerations

EQ4 Biodiversity  
EQ5 Corridors, Networks and Features of Distinctiveness  
EQ6 Special Landscape Areas

EP1 Water Quality and Resources  
EP2 Pollution  
EP3 Sustainable Drainage

REC2 Open Space Provision and New Developments

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** - Has raised no objection to the application subject to the imposition of suitable conditions on any permission granted.

**South Wales Trunk Roads Agency** - Have confirmed that they have no objection to the application.

**Sustainable Drainage Approval Body (SAB)** - Has confirmed his acceptance of the surface water drainage scheme proposed.

**Head of Public Protection** - No objections subject to the imposition of conditions regarding construction hours, electric charging points, a scheme for the mitigation of dust and a Preliminary Risk Assessment in order to identify any potential land contaminants.

**Planning Ecology** – satisfied with the ecological recommendations provided within the submitted documents and no objections subject to imposition of conditions.

**Landscape Officer** – no objections subject to the imposition of certain conditions.

**Llanedi Community Council** – Provided comments regarding density of development, design, impact on Welsh language, visual impact, environmental value of site, contributions to play area and impact on highway network.

**Local Member(s)** - has not commented to date.

**Natural Resources Wales** - Has raised no objection to the application.

**Dwr Cymru/Welsh Water** - Have examined the drainage proposals submitted with the application and confirmed that they have no objection to the application subject to imposition of conditions.

**Coal Authority** - Have confirmed that they are satisfied that the ground investigation survey accompanying the application has demonstrated that the site is safe and stable for the proposed development. They have therefore raised no objection to the application.

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

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters, site notices displayed at Clos Benallt Fawr and Llanedi Road and publication in the local newspaper.

Over 25 representations were received, all of which object/raise concerns, the matters raised are summarised as follows:

- Revised application fails to take account of previous decision issued by the Planning Inspector.
- Plans show clear intention to develop adjacent land situated within the Special Landscape Area through the proposed road access. Existing access to this land is already available via the A48 towards Pontarddulais.
- Concern regarding the health of the existing centrally located tree protected by the Tree Preservation Order and the impact of the development on its health.
- Height of the crib wall will look unsightly from the Llwycher Valley and impact negatively on the Special Landscape Area and conflict with policies EQ6 and GP1.
- Potential to disrupt flow of ground and surface water and disturbance of soil during construction could release contaminants into the Lougher Estuary and Carmarthen Bay SSI.
- Request that permitted development rights are removed from development, impose a restricted covenant requiring future properties to maintain boundary treatments and hedgerows and remove the access road to land within the SLA.
- Concerns raised regarding the safety implications and future management and maintenance of the attenuation tanks.
- Concern as to why the Council are even re-considering the plans and wasting resources after the appeal was dismissed.
- Proposed drainage scheme will result in significant implications for landowner below the site.
- The development will significantly alter the drainage catchment leading to the river and increased flooding.
- Surface water flooding of the site and neighbouring land will be at odds with the requirements of TAN 15.
- Concerns raised regarding the desk top calculations for flow rates on the land and adjacent land is significantly different to actual flow rates.
- Questions are raised regarding any potential relationship between Ben Kathrens of Carmarthenshire County Council and James Kathrens on behalf of the developer and any potential impact this has on the planning application. Is there a conflict of interest?
- Concerns raised regarding the acceptance of the current location of the attenuation storage tanks in the developers haste to attend Planning Committee.
- The amount of building in the area is contribution to urban sprawl.
- Increased traffic generation resulting from the proposal and other developments in the wider Fforest, Hendy and Pontarddulais area and the impact upon highway safety.

- The cumulative impact of the development and others nearby will cause grid lock and affect both the environmental and health of local residents contrary to TAN 8.
- Visibility entering and existing Clos Benallt Fawr is poor because residents on the main road park cars and vans on the road.
- Increase in cars and traffic will result in increased congestion and also pollution.
- Electrical charging points are not proposed within the development yet we should be looking to reduce our carbon footprint.
- Why is an onsite play area for children not provided?
- It is a Greenfield site regularly used for grazing of cows and sheep and in line with Planning Policy Wales should be developed last.
- An in depth traffic assessment has not been undertaken looking at the cumulative impact of developments in the area.
- Results of traffic survey are considered to be slanted and flawed.
- Facts have changed since the Corun Traffic Report was undertaken in April 2016.
- Proposal is against Policy TR3 in terms of highway impacts.
- Concerns regarding high level of arsenic in the soil and implications of this.
- Village will lose its identity due to overdevelopment.
- Concerned regarding the adverse impact on the Welsh language. Developing the site would encourage immigration and not enrich organic growth.
- The infrastructure of the surrounding area is inadequate to cope with further development, e.g. public transport, GP surgeries, schools etc.
- Possible financial contributions towards nearby play area are a bribe.
- Amount of homes proposed is not in keeping with the surrounding area.
- There are overlooking and privacy issues with plots on the western boundary overlooking into properties on Llanedi Road.
- The scheme does not include provision for a disabled/ageing population.
- Local policy requires developments adjoining the SLA to also be sensitively designed so as to protect the special qualities of the landscape area, the current proposals fail to achieve this.
- Outdated reports are insufficient to provide adequate information to undertake a robust review of the application.

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

## Appraisal

### Principle of development

The principle of residential development at the site has previously been accepted through the site's allocation within the Local Development Plan for 35 dwellings (reference. T3/7/H8), following independent examination of the Plan by an Inspector. Furthermore, the Appeal Decision relating to the previous application at the site did not consider the site unsuitable for residential development, instead it was the level and design of the proposed development which the appeal was previously dismissed upon.

Concerns have been raised that the site will result in over development and over delivery of housing in the local area. The allocation of the site and other housing sites in the wider Fforest/Hendy area is a reflection of the settlements' status as a Local Service Centre in the sustainable settlement framework of the LDP whereby they are located on sustainable transport corridors and collectively contain a broad range of services and facilities.

As such, it is considered that the principle of residential development at the site has been accepted.

### Impact upon character and appearance of the area

Some residents have raised concerns regarding the design of the proposed development and subsequent impact upon the character and appearance of the area. In terms of dwelling numbers, the site is allocated for 35 units within the LDP. Whilst this is a notional figure for the purposes of the plan, it provides an indication of the level of density likely to be acceptable and was supported by the Inspector presiding over the LDP examination. The current proposal involves 35 dwellings and is a reduction from the previous scheme of 51 dwellings at the site. When looking at density per hectare figures, the site area measures approximately 1.8ha resulting in a density of around 19 dwellings per hectare (dph) and is more akin to the adjacent development of Clos Benallt Fawr at around 15dph. The number of residential units and density currently proposed for the application site is therefore considered appropriate given the LDP allocation, adjacent development and also national guidance regarding the most efficient use of land.

The general scale, design and spatial layout of the revised development scheme with its mix of housing types and sizes is considered to be acceptable within the context of the surrounding pattern of development. The design of the scheme with its mix of hard and soft landscaping, retention of existing landscape features and centrally located area of open space will respond well to the site's setting in the wider context.

### Landscape and Visual Impact

Numerous concerns have been raised regarding the impact of the proposed development on the Special Landscape Area (SLA). The current scheme no longer proposes an attenuation pond outside of the development limits and within the SLA, instead the required attenuation is provided through underground storage tanks within the site. The removal of the attenuation pond results in no development being proposed within the SLA as part of the current application. Furthermore, the red line has been amended so that the application site does not fall within the SLA and is entirely within the allocation and development limits.

A number of respondents make reference to the development being of poor design and failing to work with the topography of the land, requiring retaining walls, raised terraces and a crib wall. The change in ground levels across the site has required the applicant to include retaining wall and terraced features within the development layout, similar to the previous scheme at the site. It is noted that the use of such structures were not considered unsuitable or inappropriate by the Inspector when considering the previous scheme. These features have been designed in a sensitive manner whereby they do not dominate or detract from the appearance of the development with the majority being located in the rear curtilages of the houses. The proposed crib wall along the north eastern boundary of the site to the rear of plots 5-9 is particularly contentious. As demonstrated by the Landscape Plan the wall will be a timber-crib wall containing permabag planting bags and planting of *Hedera colchica Dentata*. Furthermore, additional native tree planting is proposed along the entire eastern boundary of the site where it borders with the SLA that will provide a defined natural boundary to the built development. The applicant has provided visuals of the eastern border and whilst the crib wall will initially be visible from the east of the site, within 2 years there is tree/plant coverage and by year 4 the wall is completely screened



by trees/vegetation. Therefore, it is considered that the planting within the crib wall and tree planting in combination initially reduce the visual impact of the proposed crib wall on the SLA and subsequently screen it entirely.

As such, the landscape and visual impact of the revised scheme is not considered to undermine the rural character and appearance of the Special Landscape Area.

#### Privacy Impacts/Impact on Residential Amenity

The issue of the impact of the development upon the residential amenity of surrounding residential properties has been carefully examined as part of officer's assessment of the application. The orientation and separating distances to existing properties adjoining the development will be such that any overlooking would not be intrusive. Similarly, the layout will not cause any unacceptable impacts by way of loss of light and overshadowing. It is not envisaged that the scale of development proposed will result in any adverse impacts in terms of traffic noise and disturbance and it is of note that the Head of Public Protection has raised no objection to the development from a residential amenity perspective. A construction Method Statement has been submitted which includes measures such as a dust mitigation scheme, waste management and noise mitigation, designed to minimise the impact upon local residents and the surrounding environs. Compliance with the statement will be conditioned. The proposal thereby accords with Policy GP1 of the LDP in terms of its impact on amenity of existing residents and the surrounding area.

#### Highway Impacts

Numerous respondents are of the opinion that that the highway network in the surrounding area is inadequate to safely accommodate the additional traffic generated by the development. Many refer to the cumulative impacts of the proposal with other developments in the wider Hendy and Pontarddulais area while particular reference has been made to, amongst others, the capacity of the M4 junction in Hendy, restrictions along the A48 with on street parking and a lack of footways, and the adequacy of the existing junction of Clos Benallt Fawr.

The Head of Highways and Transport having carefully assessed the application and accompanying Transport Statement has raised no objection to the proposal from a highway capacity or safety perspective. He is satisfied that the likely additional traffic can be safely accommodated on the local highway network and that the existing junction and new estate road are adequate to serve a development of the scale proposed and meet the required standards. The Authority's Highway Adoptions officer has also confirmed his acceptance of the layout and design of the new estate road proposed.

The Welsh Government's Trunk Roads Agency were consulted on the application in light of concerns raised regarding the impact upon the junction of the A4138 with the M4 in Hendy, however notwithstanding these concerns they've raised no objection to the application.

Furthermore, it is noted that the Inspector considered the traffic and highway safety implications as part of the appeal for the previous scheme at the site involving 51 dwellings. Within her report, it was concluded that "the traffic generated by the scheme would not compromise highway safety or the amenity of existing occupiers." In light of this previous assessment for a higher number of properties and the comments from the Authority's Highways department the proposed development is considered to satisfy the

requirements of Policies SP9, GP1 and TR3 of the LDP in terms of its highway impacts upon the surrounding area.

### Flood Risk Implications

Concerns have also been raised regarding surface water flooding at the site and also the suitability and safety of the proposed underground attenuation storage tanks. The application has been accompanied by a detailed drainage strategy wherein run-off from the development will be collected in the attenuation tanks and discharged to an existing watercourse on the perimeter of the site at a controlled greenfield run-off rate. The scheme will provide a sustainable means of disposal ensuring that no surface water will enter the public sewerage system. The Authority's drainage engineers and Natural Resources Wales have raised no objection to the scheme nor have they expressed concerns regarding existing water levels within the site as suggested by a number of respondents.

The applicant is complying with the Welsh Government guidance for surface water systems (at the time of submission) and follows the hierarchy to the first suitable discharge point, which in this case is the nearest watercourse. The point of discharge is located to the north east of the application site and under the control of the applicant. However, it has been brought to the attention of the Authority that the adjacent landowner has concerns regarding the impact of the development altering the flow of water on his land. The information provided by the applicant is sufficient for the purposes of the planning application and it has been advised that the applicant contact the landowner directly to ensure any detriment to the flow of water on the adjoining land is addressed. The developer has advised that discussions have taken place with the landowner and this dialogue will continue. However, no further information has been provided to the Authority in respect of this.

Turning to foul drainage, Welsh Water have raised no objection to the applicants' proposal to discharge foul water into the existing public sewer that crosses the site.

The proposal is therefore considered to be in accordance with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner without causing unacceptable harm to the wider water environment.

### Biodiversity Impacts

A number of respondents have raised concerns regarding the health of the centrally located Oak tree covered by a Tree Preservation Order (TPO). The Authority's Landscape Officer also initially raised concerns following the positioning of the underground attenuation tanks in proximity to the Oak tree as it was considered that excavation for the tanks could impact on the root protection area for the tree. As a result, the position of the tanks has been reviewed by the developer and the tanks are now located a minimum of 4.75m away from the root protection area of the tree. A Tree Survey and Constraints Plan and Arboricultural Method Statement (AMS) have been submitted in support of the application. The AMS confirms that the root protection area for the Oak tree should be unaffected by the proposals for the attenuation tank and proposes precautionary measures to further ensure no damage to the tree. This has been reviewed and approved by the Landscape Officer subject to the imposition of certain conditions regarding implementation and ongoing maintenance. In light of the above, it is considered that the proposed development will not have a detrimental impact on the centrally located Oak tree.

In terms of the respondents' ecology concerns, the ecological assessment confirms that the site is of low ecological value. The scheme has been designed to ensure the retention of the mature oak tree in the centre of the site as well as the hedgerows and trees along its perimeter. The Arboricultural Method Statement sets out a series of protective measures to safeguard these features. The planting proposals will create new landscape frameworks within and on the perimeter of the development. The Authority's Planning Ecologist and Natural Resources Wales concur with the conclusions of the ecological assessment and have raised no objection from an ecology perspective subject to the implementation of the abovementioned protective and enhancement measures which will be a conditional requirement of any permission granted.

The proposal is therefore considered to accord with the ecological objectives of Policy EQ4 of the LDP.

#### Impact on local infrastructure/services

A number of respondents have concerns regarding the impact of the development upon local services and facilities such as schools and health facilities and question whether sufficient capacity exists to accommodate the development. The development will be well related to the services and facilities available in Fforest and Hendy as well as benefiting from good levels of accessibility to public transport facilities and the higher order facilities available in the wider Llanelli area. The relevant catchment schools currently have surplus places and, as mentioned earlier in the report, the applicant will make a financial contribution towards the improvement of facilities at Hendy CP as well as the nearby park in Bronallt Road which is in need of improvement. Furthermore, it is not envisaged that the range of health care services available in the wider area including doctor's surgeries and hospital facilities will be adversely affected by a development of the scale proposed. In this regard, the proposal is in accordance with the requirements of Policy GP3 and SP1.

#### Other Matters

The suggestion that brownfield sites should be developed before the application site are misjudged in that it is allocated for residential development purposes in the LDP.

Turning to the issue of ground contamination, the application has been accompanied by a detailed site investigation of the site and the Head of Public Protection has raised no objection in this regard subject to the implementation of suitable conditions which will ensure compliance with Policy EP2 of the LDP.

A number of respondents have questioned the need to include road access to the neighbouring field to the east of the development. The road in question is acceptable in design terms and is proposed by the applicant to provide access to the land beyond the application site. This application does not seek permission for any development outside of the red line of the current application.

The impact of the development upon the Welsh language has previously been considered as part of the LDP site selection process and the advice in TAN 20 (The Welsh Language) recommends that planning applications should not duplicate this process. Officers are satisfied that a development of the scale proposed would not undermine the long term viability of the language and culture in the local area of the site. Indeed, the provision of a number of affordable units within the development will make a positive contribution

towards retaining young potentially Welsh speaking residents in the local area while the financial contribution towards improving education facilities in local schools, will again assist in promoting the long term viability of the language.

Finally, officers are satisfied that the development does not constitute a departure from the policies of the LDP.

## **Planning Obligations**

The applicants have agreed to enter into a Section 106 agreement whereby they will provide the following contributions as part of the development. The precise level of contributions have been agreed following negotiations and discussions with the relevant service providers of the Authority.

1. Affordable Housing – a contribution is provided through 4 on-site units, provided at plots 18, 19, 20 and 21 shown on Planning Layout drawing no. PL02 Rev F. This complies with the requirements within Policy AH1 of the LDP given the site's location within a 10% area.
2. Education – a financial contribution towards nearby local schools including primary, secondary and early years' education, within the vicinity of the site.
3. Open Space – a financial contribution towards the maintenance and improvement of the existing equipped playground facility located off Bronallt Road, within walking distance of the site.

## **Well-being of Future Generations (Wales) Act 2015**

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

## **Conclusion**

After careful consideration of the scheme as submitted, together with the representations received to date, it is concluded on balance that, the proposal represents an acceptable form of residential development that will be in keeping with and complement the general character and appearance of the surrounding area. The site is allocated for housing purposes and its development complies with the key policy and sustainability objectives of the Authority's adopted Local Development Plan and National Planning Policy.

The general scale, design and layout of the scheme will be in keeping with the character and appearance of the surrounding area. The development will provide a range and choice of housing types and sizes that will be well related to the existing services and facilities in Fforest/Hendy and the wider Pontarddulais and Llanelli areas. Moreover, the houses will

be within easy access of public transport facilities and the M4 motorway. The development will also secure a range of community benefits in the local area which will include the provision of a number of affordable dwellings and area of open space as well as improvements to existing education and recreational facilities.

The proposal also satisfies the sustainability requirements of the LDP from an environmental quality and utility provision perspective by implementing a drainage strategy which has been accepted by the Authority's drainage engineers and also Dwr Cymru Welsh Water. Furthermore, and as outlined in the appraisal above, there are no highway, amenity, or ecological objections to the development. The position of the attenuation tanks and any potential impact on the root protection area of the Oak tree has been carefully reviewed and in line with the precautionary mitigation measures proposed, the development is not considered to result in any significant harm to the tree.

Accordingly, the application is put forward with a favourable recommendation subject to the successful completion of a Section 106 Agreement securing the community benefits outlined above and the removal of the Section 18 Holding Direction from Welsh Government.

## **RECOMMENDATION – APPROVAL**

### **Conditions**

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
  - Location plan (LP-02 Rev A) received 10 July 2019;
  - Planning Layout (PL-02 Rev F) received 18 July 2019;
  - Site Layout and Site Sections (SS05 Rev A) received 26 July 2019;
  - Site Sections (SS04) received 16 April 2019;
  - Street Elevation (SE01) received 21 May 2019;
  - Management and Maintenance Plan (MMP-02 Rev B) received 22 July 2019;
  - Knightsbridge with balcony Plans and Elevations (KB-WB10 Rev G) received 16 April 2019;
  - Strand with balcony Plans and Elevations (ST-WD10 Rev L) received 16 April 2019;
  - Oxford Plans and Elevations (OX-WD10 Rev L) received 16 April 2019;
  - Fenchurch Plans and Elevations (FH-WD10 Rev J) received 4 January 2019;
  - Harley Plans and Elevations (HY-WD10 Rev N) received 3 January 2019;
  - Knightsbridge Plans and Elevations (KB-WB10 Rev H) received 4 January 2019;
  - Marylebone Plans and Elevations (ME-WD10 Rev H) received 4 January 2019;
  - Mayfair Plans and Elevations (MY-WD10 Rev J) received 3 January 2019;
  - Strand Plans and Elevations (ST-WD10 Rev L) received 3 January 2019;
  - Single/Double Garages Plans and Elevations (SGD-01 Rev C) received 3 January 2019;

- Garages & Half Plans and Elevations (PHWW-SGD-01) received 4 January 2019;
- 628 WHQS Plans and Elevations (628-WHQS-WD01) received 3 January 2019;
- 835 WHQS Plans and Elevations (835-WHQS-WD04) received 3 January 2019;
- Boundary Treatment Details (BT-00 Rev A) received 6 December 2018;
- 1.8m Close Boarded Fence (D02 Rev A) received 6 December 2018;
- External Details 1100 & 900mm ball top railings (D06) received 6 December 2018;
- 1.8m Brick Wall with Timber Hit & Miss Fence (D31 Rev A) received 6 December 2018;
- Engineering Layout (10073-100 Rev I) received 18 July 2019;
- Detailed Soft Landscape Proposals (TDA.2336.01 Rev J) received 22 July 2019;
- Drainage Strategy and Flood Risk Assessment (Revision D) received 24 June 2019;
- Summary of Critical Results received 24 June 2019;
- Storm Sewer Design Details received 24 June 2019;
- Preliminary Ecological Appraisal by Hawkswood Ecology dated May 2016 received 6 December 2018;
- Review of the Preliminary Ecological Appraisal and Bat Activity Surveys by Hawkswood Ecology dated December 2018 received 14 December 2018;
- Site Investigation Report (11578/PB/15/SI) prepared by Integral Geotechnique received 11 December 2018;
- Transport Statement (16-00450/TS/01/B) prepared by Corun Transport and Highway Engineering received 16 April 2019;
- Tree Survey and Tree Constraints Plan prepared by Tree Scene received 10 July 2019;
- Arboricultural Method Statement (TDA/2336/AMS/AMP/10.17) prepared by TDA Environment Landscape Design received 15 July 2019;
- Landscape Specification & Management Plan prepared by TDA Environment Landscape Design received 15 July 2019;
- Dust Emission Control Plan received 18 July 2019;
- Construction Method Statement received 26 July 2019;
- Site Management Daily Checklist received 25 June 2019;
- Site Waste Management Plan received 25 June 2019;
- Construction Management Plan and Build Sequence Drawing received 25 June 2019;
- Visuals of Eastern Boundary Landscaping – Years 0, 2 and 4 received 17 April 2019;
- Permacrib Typical Section received 16 April 2019;
- Soil Resources Management Plan (12400/MJE/19SRMP) prepared by Integral Geotechnique received 16 April 2019;
- Design and Access Statement Rev A received 16 April 2019.

3 Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.5 metre carriageway and 1.8 metre footways.

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

- 5 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole estate road frontage within 2.0 metres of the near edge of the carriageway.
- 6 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.
- 7 Prior to the occupation of any of the dwellings herewith approved, the required access roads and footways from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.
- 8 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 9 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 10 The foul and surface water drainage scheme proposed to serve the development shall be completed in strict accordance with the details contained in the Drainage Strategy and Flood Risk Assessment (Revision D) received on 24 June 2019 and shown on the Engineering Layout (10073-001 Rev I) received on 18 July 2019 prior to the occupation of the dwellings hereby approved. The rate of discharge from the attenuation pond shown on the engineering layout shall not exceed 16 litres per second.
- 11 No building shall be occupied until the drainage system for the site has been completed in accordance with the approved details as shown on Drawing No 10073-100 Rev I. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
- 12 No development shall take place on the application site until the applicant has:
  - Prepared a desktop study (Preliminary Risk Assessment) which shall include the identification of previous land uses, potential contaminants that might reasonably be expected given those uses and other relevant information, such as pathways and exposure to potential receptors. This information shall also be presented in tabular or diagrammatical form (Conceptual Site Model) for the site and all potential contaminant sources, pathways and receptors shall be included. In order to complete the conceptual site model, it may be necessary at this stage to undertake limited exploratory sampling. The Preliminary Risk Assessment shall be submitted to and be approved by the Local Planning Authority.
  - Prepare a detailed scheme for the investigation and recording of contamination for the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) shall be submitted to and approved by the Local Planning Authority. The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards.

- Submitted detailed proposals for site remediation and verification (Remediation Strategy) which may involve the removal, containment or otherwise rendering harmless such contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards and shall be submitted to and have received in writing the approval of the Local Planning Authority prior to commencing the works.

If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Remediation Strategy' then a revised 'Remediation Strategy' shall be submitted to the Local Planning Authority.

If, during development, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed 'Remediation Strategy'.

- 13 Any soil imported must be suitable for use and any soil arising from elsewhere on the development site must be subject to same requirements as imported materials. The following aspects of any imported materials require validation:
- A copy of the certificate of analysis, details of the source of the topsoil and an interpretation of the analytical results by a suitably qualified individual [topsoil must be approved in writing by the Local Authority prior to importation].
- 14 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
- 15 The development must be carried out in strict accordance with:
- Sections 8.1 – 8.5 contained within the Review of Preliminary Ecological Appraisal and Bat Activity Surveys by Hawkswood Ecology dated December 2018
  - Sections 8.3 – 8.8 contained within the Preliminary Ecological Appraisal by Hawkswood Ecology dated May 2016.
  - Arboricultural Method Statement by TCA dated October 2017 updated July 2019.
  - Construction Management Plan and Build Sequence.
  - Construction Method Statement.
  - Engineering Layout Planning – Drawing No 10073-100 Rev H.
  - Detailed Soft Landscape Proposals TDA.2336.01 Rev I.



- Landscape Specification & Management Plan by TDA dated October 2017 updated July 2019.
- Section 6.5 of the Design and Access Statement, Revision A

16 Notwithstanding the specification details submitted within the hereby approved Landscape Design Scheme (LDS) as defined in the following submitted documents:-

- Detailed Soft Landscape Proposals TDA.2336.01 Rev I
- Landscape Specification & Management Plan by TDA dated October 2017 updated July 2019.

No development shall take place until a revised specification proposal(s) for grassland seeding (for areas noted as speckled dark green on plan TDA.2336.01 Rev I) have been submitted to and approved in writing by the local planning authority. Thereafter, the proposal(s) shall be fully implemented to the revised specification and plans and within the timescale as approved.

17 All site operations shall be undertaken in compliance with the approved landscape constraint and protection information, as defined in the following submitted documents: Arboricultural Method Statement

Any construction operations and/or access within the defined construction exclusion zone(s) (CEZ) shall be limited to those undertaken in compliance with the recommendations of BS5837. CEZ(s) shall be fully implemented prior to the commencement of any works associated with the development; and thereafter maintained in entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

Any existing landscape elements, identified for protection, or part thereof, which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the existing landscape elements 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 and in such positions as may be agreed with the Local Planning Authority, and thereafter likewise conditioned for a further period of five years.

18 The approved Landscape Design Scheme (LDS) and maintenance and management scheme, as defined in the following submitted documents:

- Detailed Soft Landscape Proposals
- Landscape Specification and Management Plan – July 2019

shall be fully implemented in the first planting season following the occupation of the dwellings or the completion of the development, whichever is the sooner. Any of the hereby scheduled specific landscape elements as defined in the approved LDS which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the local planning authority, and thereafter likewise conditioned for the lifetime of the approved development.

i) All existing hedge line boundaries identified for retention.

- ii) Tree planting within central amenity space (10 no. Quercus sp. And 4 no. Betula sp.)
- iii) Hedge planting and associated hedge line trees to the southern site boundary.
- iv) The centrally located Oak tree covered by the Tree Preservation Order.

All new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS not hereby specifically scheduled, which, within a period of 5 years after 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 landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

- 19 No development or site clearance shall take place until detailed proposals in the form of specification and layout drawings, for all hard landscape elements and features within the central site area of open space to the north of Plots 30-33 have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 20 The construction phase of the development shall be carried out in strict accordance with the Construction Method Statement, Construction Management Plan and Build Sequence, Site Waste Management Plan and the Dust Emission Control Plan received by the Local Planning Authority through all stages of construction.
- 21 No materials generated from the site clearance and excavation stage of this development shall be removed from the site until such time that details of the location and method of disposal has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, materials shall be removed from the site in accordance with the approved details.
- 22 Prior to the beneficial occupation of the dwellings hereby approved a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development and timetable for implementation shall be submitted to and agreed in writing with the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved details.
- 23 The garages of the proposed dwellings hereby approved shall be used for private purposes incidental to the enjoyment of the dwelling and not for any business or commercial use.
- 24 Before the beneficial occupation of the dwellings hereby approved the bathroom, toilet and en-suite windows of the proposed dwellings shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt as to the extent of this permission.

- 3-9 In the interest of highway safety.
- 10 To ensure the installation of an appropriate drainage scheme and to prevent the pollution of the environment.
- 11 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.
- 12 & 13 To ensure all ground contamination is adequately dealt with.
- 14 To prevent the pollution of the environment.
- 15 & 16 In the interests of biodiversity.
- 17 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.
- 18 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.
- 19 In the interests of visual amenity.
- 20 To prevent the pollution of the environment and safeguard residential amenity.
- 21 To ensure the appropriate disposal of any material generated from the development.
- 22 To promote and encourage more sustainable modes of travel.
- 23 In the interests of safeguarding residential amenity.
- 24 In the interest of privacy.

## Notes/Informatives

- 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.

- 2 This planning permission is granted subject to the covenants contained in the accompanying Section 106 Legal Agreement in connection with the community benefits provided as part of the development.
- 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](http://www.carmarthenshire.gov.uk)).

## PLANNING COMMITTEE

27 JUNE 2019

**PRESENT:** Councillor A. Lenny (Chair)

**Councillors:**

S.M. Allen, J.M. Charles, I.W. Davies, J.A. Davies, P.M. Edwards, W.T. Evans, S.J.G. Gilasbey, J.K. Howell, J.D. James, C. Jones, D. Jones, K. Madge, B.D.J. Phillips and J.E. Williams

**Also in attendance:**

Councillor E. Dole in respect of Planning Application S/37227.  
Councillor T. Higgins in respect of Planning Application S/38544;  
Councillor A. Speake in respect of Planning Application W/38647.

**The following Officers were in attendance:**

J. Edwards, Development & Built Heritage Manager;  
J. Thomas, Senior Development Management Officer [South];  
H. Rice, Development Management Officer;  
Z.A. Evans, Senior Technician (Planning Liaison);  
S. Murphy, Senior Solicitor;  
J. Owen, Democratic Services Officer.

**Chamber, County Hall, Carmarthen – 10:00am - 12:20pm**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors. H. I. Jones, M.J.A. Lewis and G.B. Thomas.

**2. DECLARATIONS OF PERSONAL INTERESTS**

Councillor	Minute Number	Nature of Interest
D. Jones	4.1 - Planning Application number S/37227.	She has a prejudicial interest as the Local Member of Llannon Ward.

**3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS**

**3.1 RESOLVED that the following planning application be granted subject to the conditions detailed within the Report of the Head of Planning and or reported at the meeting:-**

<b>E/38245</b>	To extend the residential curtilage approved for the dwelling and erect a building to be ancillary to the local needs dwelling house and the land around it on the said land at land part of Dolaugwynion and adjacent to Ffawyddog, Ffarmers, Llanwrda, SA19 8JW
<b>E/38405</b>	Stables providing shelter for four horses with tack room and small pathway surrounding the footprint at land opposite Brodawel, Llandeilo, SA19 7TA

**3.2 UNANIMOUSLY RESOLVED that consideration of the following planning application be deferred until after the Authority's Planning Ecologist report has been received.**

<b>E/38576</b>	Single storey dwelling with habitable roofspace and integral garage at land adjacent to 15 Plas Gwyn Road, Penygroes, Llanelli, SA14 7RY.
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**4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS**

**4.1 RESOLVED that consideration of the following planning application be deferred to enable the Committee to undertake a site visit:**

<b>S/37227</b>	<p><b>The drying and storing of willow crop from the adjoining forestry land. Excavation and removal of unauthorised areas of hardstanding, retaining only that which is the minimum sufficient to provide vehicular access to the building. Improvement to the access on to the public highway, and the implementation of a surface water drainage strategy including the formation of a new attenuation pond and connective drainage runs at land at Grugos Wood, Llannon, Llanelli, SA14 8JH</b></p> <p>[Note: Councillor D. Jones, having earlier declared an interest in this item, left the Council chamber prior to the consideration and determination thereof].</p> <p>A representation was received requesting that the Committee undertake a site inspection in order to view the impact on the environment including damage to the local peat bogs and also to assess the highway in respect of flooding and surface water.</p> <p>In accordance with Planning Committee Protocol, the objector who had requested to speak in relation to this application, opted to make their representations at the meeting following the site visit.</p> <p><b>REASON:</b> To enable the Committee to view the proposed development assess the impact on the local environment, flooding risk and the highway.</p>
<b>S/37727</b>	<p><b>Construct new single storey warehousing block along with building a second storey extension above the existing office area with associated works to the car park and facade and perimeter fencing (total proposed area - 800 sq metres) at CK's Stores, Embankment Road, Llanelli, SA15 2BT</b></p> <p><b>REASON:</b> To enable the Committee to view the proposed development site in light of concerns raised with regard to visual amenity and the potential impact on neighbouring properties.</p>

**4.2 RESOLVED that the following planning application be granted conditional approval subject to confirmation of S106 details, and clarity being sought regarding perceptions around potential existing problems regarding drainage.**

<b>S/38544</b>	<p><b>Construction of 17 no. dwelling houses, estate road and associated infrastructure (revision of site layout and house type details approved under planning permission S/27674) at land at Parc Gwernen, Fforestfach, Tycroes, Ammanford, SA18 3PR</b></p> <p>A representation was received from the Local Member objecting to the application which re-iterated the points detailed within the Head of Planning's written report included concerns in relation to:</p> <ul style="list-style-type: none"> <li>• the orientation of plots;</li> <li>• the loss of privacy ;</li> <li>• the risk of flooding;</li> <li>• the current surface water problems;</li> <li>• the current issue of sewerage water flooding gardens;</li> <li>• the need for a Section 106 agreement;</li> <li>• road adoption;</li> <li>• the impact of additional housing on the village infrastructure;</li> <li>• the impact on the local school which is already at full capacity;</li> <li>• no provision of a safe route along the highway eg. pavement to the local shops;</li> <li>• loss of park and play areas;</li> <li>• permission has already been granted to build 200+ homes in the ward.</li> </ul> <p>The Senior Development Management Officer [South] and the Senior Technician (Planning Liaison) responded to the issues raised.</p>
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**4.2 RESOLVED that the following planning application be granted subject to the conditions detailed within the report of the Head of Planning:-**

<b>S/38564</b>	<p><b>Extension of existing storage building to convert this into a place of worship. Demolition of existing building formerly used as an auction house. Upgrading existing car parking area and drainage for proposed use at 2 Carmarthen Road, Cross Hands, Llanelli, SA14 6SP</b></p> <p>A representation was received from the Local Member objecting to the application which re-iterated the points detailed within the Head of Planning's written report and highlighted the following:</p> <ul style="list-style-type: none"> <li>• highway concerns;</li> <li>• concerns regarding the anticipated additional road users;</li> <li>• currently there is no provision of a pedestrian crossing on the Crosshands square or Carmarthen Road despite Ysgol Maes y Gwendraeth being a included in the 'safer route to school' scheme.</li> </ul>
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	<p>The Senior Development Management Officer [South] and the Senior Technician (Planning Liaison) responded to the issues raised.</p> <p>[Note: A request was received for the Committee to undertake a site visit. The request was duly moved and seconded, however following a vote the request was denied.]</p>
<b>S/38665</b>	<b>New dwelling with off street parking at land adjacent to 9 Trebuan, Felinfoel, Llanelli, SA15 4LH</b>

**5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS**

**5.1 UNANIMOUSLY RESOLVED** that the following planning application be granted subject to the conditions detailed within the report of the Head of Planning:-

<b>W/36511</b>	<b>Formation of a replacement pilgrim car and mini-bus parking area at land part of Skanda Vale, Llanpumsaint, Carmarthen, SA33 6JT</b>
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**5.2 RESOLVED** that the following planning application be granted subject to the conditions detailed the report/addendum of the Head of Planning:-

<b>W/38647</b>	<p><b>Change of use from a dwelling (class C3) to a 5 bedroom HMO (class C4) at 20 Parcmaen Street, Carmarthen, SA31 3DP</b></p> <p>A representation was received from the Local Member objecting to the application which re-iterated the points detailed within the Head of Planning's written report with the main concerns relating to:</p> <ul style="list-style-type: none"> <li>• Lack of car parking on Parcmaen Street, particularly after working hours</li> <li>• Change use of a family home into another HMO</li> </ul> <p>The Development Management Officer responded to the issues raised.</p>
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**6. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 30<sup>TH</sup> MAY 2019**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Committee held on the 30<sup>th</sup> May, 2019 be signed as a correct record.

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**

*[PLEASE NOTE: These minutes reflect the order of business itemised on the agenda for the meeting which may differ from that on any webcast recording as applications with members of the public attending to speak would have been dealt with first.]*



## PLANNING COMMITTEE

9 JULY 2019

**PRESENT:** Councillor A. Lenny (Chair)\*

**Councillors:**

I.W. Davies, J.A. Davies, P.M. Edwards, W.T. Evans, S.J.G. Gilasbey, J.K. Howell, J.D. James, C. Jones, D. Jones, M.J.A. Lewis, B.D.J. Phillips and J.E. Williams.

**Also in attendance:**

Councillor G John in respect of Planning Application W/37401.

**The following Officers were in attendance:**

J. Edwards, Development & Built Heritage Manager;  
 P. Roberts, Development Management Officer;  
 K. Byrne, Assistant Solicitor;  
 J. Owen, Democratic Services Officer.

**Chamber, County Hall, Carmarthen: 11:00am - 1:30pm**

[NOTE:

- \*The Chair, Councillor A. Lenny, declared an interest in Planning Applications W/38447 and W/37401 and left the Council Chamber during its consideration by the Committee. Councillor Eirwyn Williams, Chaired the meeting from Agenda Item 3.1 for the remainder of the meeting.
- The meeting was adjourned for 5 minutes between 12:50 and 12:55 for a comfort break.]

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors S.M. Allen, H.I. Jones, K. Madge and G.B. Thomas.

**2. DECLARATIONS OF PERSONAL INTERESTS**

Councillor	Minute Number	Nature of Interest
A. Lenny	3.1 – Planning Application W/38447 - Change of use of ground floor from dwelling (C3) to mixed use coffee shop (A1/A3) and addition of pitched roof to rear detached garage and addition of velux windows to the roof of the main dwelling (resubmission of W/37493) at Croft House, Llansteffan, Carmarthen, SA33 5LW	A close relative and other family members live in a nearby street – personal and prejudicial

C. Jones	3.1 – Planning Application W/38447 - Change of use of ground floor from dwelling (C3) to mixed use coffee shop (A1/A3) and addition of pitched roof to rear detached garage and addition of velux windows to the roof of the main dwelling (resubmission of W/37493) at Croft House, Llansteffan, Carmarthen, SA33 5LW	Lives close to the application site and the objectors are friends
A. Lenny	4.1 - Planning Application W/37401 – Demolition of existing buildings and redundant telecommunications slabs and erection of Lidl Foodstore with associated parking, delivery arrangements and widening of current access road at former Carmarthen Police Station, Friars Park, Carmarthen, SA31 3AW	A close relative and other family members live in a nearby street – personal and prejudicial

**3. TO CONSIDER THE HEAD OF PLANNING'S REPORTS ON THE FOLLOWING PLANNING APPLICATIONS [WHICH HAD BEEN THE SUBJECT OF EARLIER SITE VISITS BY THE COMMITTEE] AND TO DETERMINE THE APPLICATIONS**

**3.1. W/38447 - CHANGE OF USE OF GROUND FLOOR FROM DWELLING (C3) TO MIXED USE COFFEE SHOP (A1/A3) AND ADDITION OF PITCHED ROOF TO REAR DETACHED GARAGE AND ADDITION OF VELUX WINDOWS TO THE ROOF OF THE MAIN DWELLING (RESUBMISSION OF W/37493) AT CROFT HOUSE, LLANSTEFFAN, CARMARTHEN, SA33 5LW**

[Note: Councillors C. Jones and A. Lenny having declared an interest in this item left the Council Chamber, during its consideration by the Committee.]

The Development Management Officer referred to the private site visit undertaken by the Committee earlier that day (minute 5.2 of the Planning Committee held on the 30<sup>th</sup> May, 2019 refers), the purpose of which was to enable the Committee to view the site in light of objections received from the Llansteffan and Llanybri Community Council. He referred, with the aid of PowerPoint slides, to the written report of the Head of Planning which provided an appraisal of the site together with a description of the proposed development, a summary of consultation responses received and information relating to the local and national policies relevant to the assessment of the application.

The Committee was advised that the Head of Planning was recommending approval of the application for the reasons detailed within the written report/addendum.

A representation was received objecting to the application re-iterating some of the points detailed within the Head of Planning's report/addendum, with the main areas of concern being that the proposal would be a detrimental impact upon the other businesses in the village, cause a loss of privacy and light to immediate neighbours and would detract from the character of the area and the surrounding conservation area.

The applicant's agent and Development Management Officer responded to the issues raised.

**RESOLVED that Planning Application W/38447 be granted subject to the conditions detailed within the report of the Head of Planning.**

#### 4. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS

4.1 **RESOLVED that the following planning application be granted subject to:-**

4.2.1 **Conditions 1-10 and 12-18 detailed within the Report/Addendum of the Head of Planning and/or reported at the meeting;**

4.2.2 **Condition 11 be amended to state:**  
***“There shall be no deliveries to the store between the hours of 23:00 and 06:00.”***

<b>W/37401</b>	<p><b>Demolition of existing buildings and redundant telecommunications slabs and erection of Lidl Foodstore with associated parking, delivery arrangements and widening of current access road at former Carmarthen Police Station, Friars Park, Carmarthen, SA31 3AW.</b></p> <p>(NOTE:</p> <ul style="list-style-type: none"><li>• The Chair, Councillor A. Lenny, having declared an interest in this item was not present during its consideration by the Committee.</li><li>• Council I.W. Davies was not present at the Planning Committee held on the 11<sup>th</sup> June 2019 and whilst remained present in the Chamber during the deliberations, did not vote on the decision of the application.]</li></ul> <p>The Development Management Officer reminded Members that at its meeting on 11<sup>th</sup> June 2019, the Planning Committee resolved to defer this application until observations from CADW were received. It was reported that CADW's observations had been received and was detailed within the Head of Planning's written report.</p> <p>Representations were received objecting to the proposed development which reiterated some of the points detailed within the head of Planning's written report with the main emphasis being on the following:</p> <ul style="list-style-type: none"><li>• The Bulwarks scheduled monument is of national importance and nothing should be built in or near it to detract from the significance of the earthworks.</li><li>• The site should be developed as a historical tourist attraction or heritage centre.</li></ul>
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	<ul style="list-style-type: none"> <li>• The designation of The Bulwarks as a scheduled monument is intended to protect it from developments such as that currently proposed.</li> <li>• Unacceptable layout and scale and design of the new store having a much larger footprint than the existing buildings on the site.</li> <li>• The development will be unsightly dominating the skyline of Carmarthen on the western approach with the signage and fencing being unattractive.</li> <li>• Visual impact of the new store and adjacent plant area upon Morfa Lane.</li> <li>• Loss of amenity to neighbours as a result of deliveries and light pollution.</li> <li>• Concerns about the hours of operation and that conditions should stipulate no deliveries before 6:00am not 5:00am.</li> <li>• The proposal would have a harmful effect upon the fabric of the scheduled monument and its setting and as such be contrary to policies SP13, EQ1, GP1 and EQ5 of the LDP.</li> <li>• The detrimental impact on the air quality due to the potential increase of NO<sub>2</sub>.</li> </ul> <p>The Committee raised concerns in relation to Condition 11 as detailed within the Head of Planning's written report which stated "There shall be no deliveries to the store between the hours of 23:00 and 05:00". Due to the development being in close proximity of neighbouring properties, the Committee deemed that the times within condition 11 should be extended and amended to state that "there shall be no deliveries to the store between the hours 23:00 and <b>06:00</b>" as opposed to 05:00.</p> <p>The Development and Built Heritage Manager and Development Management Officer responded to the issues raised.</p>
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**5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 11<sup>TH</sup> JUNE 2019**

**RESOLVED** that the minutes of the meeting of the Committee held on the 11<sup>th</sup> June, 2019 be signed as a correct record.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE

*[PLEASE NOTE: These minutes reflect the order of business itemised on the agenda for the meeting which may differ from that on any webcast recording as applications with members of the public attending to speak would have been dealt with first.]*