

# Document Pack



Wendy Walters  
Prif Weithredwr,  
Chief Executive,  
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County Hall, Carmarthen. SA31 1JP

**TUESDAY, 2 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 11.00 AM ON TUESDAY, 9<sup>TH</sup> JULY, 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>
<b>Telephone (direct line):</b>	<b>01267 224030</b>
<b>E-Mail:</b>	<b>Democraticservices@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 Llangyndeyrn 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 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 5 - 14
4. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS 15 - 46
5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 11<sup>TH</sup> JUNE 2019 47 - 48

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<b>Application No</b>	<b>W/38447</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	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

<b>Applicant(s)</b>	MR S REES, CROFT HOUSE, THE GREEN, LLANSTEFFAN, CARMARTHEN, SA33 5LW
<b>Agent</b>	SGW PLANNING - MR MARK SHREVES, 58 WALTER ROAD, SWANSEA, SA1 5PZ
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Llansteffan
<b>Date of validation</b>	18/02/2019

## CONSULTATIONS

**Head of Public Protection and Housing** – Has raised no objection to the application.

**Llansteffan and Llanybri Community Council** – Has not commented on the application to date.

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

**Neighbours/Public** – The application has been publicised with the posting of a site notice within the vicinity of the site and the publication of a notice in the local newspaper. In response, some 50 letters of objection and 9 letters of support have been received from neighbouring residents and interested parties. The objections are summarised below:-

- The external cladding is the subject of an enforcement notice.
- There are already two well established food places situated on the green and there isn't enough trade for a third.
- Another coffee shop would be detrimental to the existing beach shop and tea room while also affecting the local shop and licensed premises in Llansteffan.

- The proposed new roof of the garage would be an eyesore, look out of place and result in a loss of light and overshadowing of the adjoining property and its rear ground floor window which is set at a lower level.
- Loss of privacy to neighbours.
- The garage roof would be harmful to the appearance of the conservation area being prominent from the Croft path leading down from Llansteffan Castle which forms part of the Wales Coastal Path.
- The garage would be imposing and overly dominant compared to other existing garages.
- The garage height would be doubled from 2.5 to 5 metres high.
- The footprint of the garage has already been doubled.
- The garage roof would be prominent from the footpath.
- The presence of rubbish/clutter at the side and rear of the building.
- The pitched roof will allow the garage to be turned into a dwelling.
- The property was recently on the market and the applicant may intend to sell the property with planning permission for a café.
- Question whether the ownership of the property stated in the application is correct.
- Llansteffan would become over commercialised.
- The Planning Authority's original decision to refuse the garage was the correct one and the respondents' disagree with the Planning Inspector's subsequent decision that the new garage roof would be acceptable and not overly dominant.
- The proposal will be in conflict with LDP and national planning policies in that the business will not be sustainable all year round and affect the viability of similar existing food and drink businesses and potentially result in job losses.

The 9 letters of support raise the following issues:-

- The proposal will provide greater consumer choice.
- The proposal will provide investment in the area and boost the economy.
- The cladding is in keeping with the area.
- There will be no loss of a dwelling.
- There are ample parking spaces.

- The proposal will complement existing businesses.
- The development will promote and encourage tourism.
- Neighbouring properties have large rear extensions that will be visible above the new garage roof.
- Concerns regarding the change of use of the garage to a dwelling are not relevant to the application.
- There are larger garages in Llansteffan.

## RELEVANT PLANNING HISTORY

The following previous applications are of relevance to the proposal:-

W/ENF/07126	Enforcement Notice requiring the removal of unauthorised cladding installed to the front and side elevation of the house without planning permission Issued Appeal dismissed	20 November 2018 3 April 2019
W/37493	Change of use of ground floor from dwelling (C3) to mixed use coffee shop (A1/A3) including front external alterations Full planning refused Appeal dismissed	23 August 2018 14 December 2018
W/27608	Ground floor extension to rear of existing dwelling plus addition of dormer window to first floor rear bathroom Full planning permission	06 March 2013

## APPRAISAL

### THE SITE

The application site consists of a semi-detached two storey dwelling house located on the south western end of a row of existing properties that front onto the River Towy and its estuary in Llansteffan. The wider row of properties consists of a mix of detached, semi-detached and terraced properties of varying styles being of a two and three storey design. The properties front onto the green riverside area adjacent to the beach which is known as 'The Green'. There is a large car park to the front of the dwelling and neighbouring properties which includes a number of timber clad hot and cold food structures.

The application property has a traditional balanced front façade with vertically proportioned windows and doorway. Its elevations consist of a blue painted rough rendered finish with the upper half of the front and side elevations having previously been clad with white timber boarding. A small lean-to extension has also been added to the side of the original dwelling whose front elevation is set back behind that of the main house. The rear of the

dwelling is characterised by a lean-to projection that extends into the rear garden space and has a 'cat-slide' style roof.

The property has a modest size curtilage that includes a landscaped front garden and a detached garage to the rear that has a low monopitch roof. Part of the elevations of the garage have been clad in timber to match those of the dwelling. The garage is served by an access lane that extends from the roadway fronting the dwelling. The lane also provides rear access to the garages and parking facilities located at the rear of neighbouring houses as well as a number of separate adjacent properties. It also serves an area of public open space and recreational facilities along with the nearby Sunrise Bay Caravan Park which is located to the north of the site. Llansteffan Castle occupies an elevated position to the south west of 'The Green' and there is a public footpath leading to the same close to the site.

The site forms the end dwelling of a row of some 40 properties that front onto 'The Green' and neighbouring car park. They are located within the wider Llansteffan conservation area which includes the majority of the built form of the settlement as well as the castle and its wider setting. The character of the immediate area derives from the generally uniform appearance of the dwellings facing the estuary with their traditional design and appearance consisting of balanced front facades with symmetrically positioned windows as well as bay window features. The traditional painted render finish of the dwellings and slate clad roofs contribute positively to the character of the street scene and wider conservation area. Whilst most of the properties have retained their original traditional façade, a small number of properties within the vicinity of the site have been the subject of alteration. These include the adjoining property which has been changed to a shop and tea room.

## **THE PROPOSAL**

The application seeks full planning permission for the change of use of the ground floor of the dwelling to a mixed use coffee shop (A1/A3), the addition of a pitched roof to the rear detached garage and the addition of velux windows to the roof of the main dwelling.

The details submitted show the ground floor of the property consisting of a seating and serving area with a kitchen facility to the rear. The front and rear curtilages of the property are also shown to have external seating areas. The first floor of the property is to be retained as residential use with a further lounge area being created in the attic space which will involve the insertion of two velux windows to the front and rear roof spaces. Other than these windows, the proposal will involve no external alterations to the house.

The existing monopitch roof of the garage is to be replaced by a pitched roof bringing its overall height to approximately 4.3 metres above the adjacent access lane. The rear curtilage of the property is set at a lower level than the lane whereby the ridge of the garage will extend to 5.3 metres in height from this lower level. The garage is to be retained for domestic purposes and the existing external cladding on its walling is to be replaced by a panted roughcast finish.

The proposal is a resubmission of a previous application for the same development albeit the previous application included external alterations to the front of the dwelling in changing its use. These included alterations to its front windows and the addition of a first floor balcony feature while the new roof of the garage was to also to have a higher pitch and ridge height of 5 metres above the access lane. Planning application W/37493 refers.



The previous application was refused by officers in August of last year on the basis that the external changes to the front of the dwelling would be harmful to the original character and appearance of the dwelling and wider conservation area. The reasons for refusal also related to the scale and massing of the new pitched roof of the garage in that it would result in an incongruous and overly dominant structure that would detract from the character and appearance of the property and the conservation area.

The applicant's subsequent appeal was dismissed by the Planning Inspector who concurred with officers' decision that the changes to the front of the dwelling would be harmful to its appearance in the conservation area. However, in dismissing the appeal the Inspector opined that the new roof to the garage would not be seen as overly dominant in visual terms nor materially harm the character and appearance of the property or conservation area. This element of the proposal was therefore deemed to be acceptable.

The application has been accompanied by a bat survey report which confirms that there are no signs of bats within the application property.

Finally, members will have noted from the planning history above that the application property has recently been the subject of enforcement action whereby officers issued an Enforcement Notice requiring the removal of the existing timber cladding that has been installed on the upper parts of the front and side elevations of the dwelling without planning permission. The notice was issued on the basis of the visual harm of the cladding upon the character and appearance of the dwelling and uniform quality and finishes of existing properties in the conservation area. The applicant's subsequent appeal against the issuing of the notice was dismissed by the Planning Inspector and the cladding must therefore be removed from the property.

## **PLANNING POLICY**

### Local Development Plan (LDP)

The application site is located within the development limits of Llansteffan as defined in the LDP. Llansteffan is designated as a sustainable community (SC16) in the Plan under Policy SP3 while the site also falls within the Llansteffan Conservation Area as designated in Plan.

Policy SP15 relates to tourism and the visitor economy and permits proposals for tourism related developments where they are located within the development limits of local service centres and sustainable communities and of a small scale that reflect the character of the area and are appropriate in terms of size, scale and impact.

Policy GP1 is a general policy which, amongst others, promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to have regard to the generation, treatment and disposal of waste.

Policy EQ1 relates to the protection of buildings, landscapes and features of historic importance. The policy will only permit proposals for development affecting landscapes, townscapes, buildings and sites or features of historic interest, which by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area, where they preserve or enhance the built and historic environment. In a similar vein, Policy SP13 of the Plan requires that development proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and, where appropriate, their setting.

### National Planning Policy

The above policies are reinforced by the policy objectives contained in in Planning Policy Wales (Edition 10), December 2018.

In connection with tourism proposals, paragraph 5.5.1 highlights their importance to economic prosperity and job creation in many parts of Wales. Paragraph 5.5.2 states that the planning system encourages tourism where it contributes to, amongst others, economic development, conservation and regeneration while recognising the needs of visitors and local communities.

With regard to the historic environment, paragraph 6.1.5 states that ‘the planning system must take into account the Welsh Government’s objectives to protect, conserve, promote and enhance the historic environment as a resource for the well-being of present and future generations’. Paragraph 6.1.6 goes on to set out the Welsh Government’s specific objectives for the historic environment which, amongst others, seek to ‘preserve or enhance the character or appearance of conservation areas, whilst at the same time helping them remain vibrant and prosperous’. This objective reflects that of The Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention shall be paid to the desirability of preserving and enhancing the character or appearance of conservation areas.

In addition, paragraph 6.1.14 requires that ‘there should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting’. Moreover, paragraph 6.1.15 advises that that ‘there is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level’.

Paragraphs 6.1 and 6.2 of Planning Policy Wales Technical Advice Note 24: The Historic Environment (May 2017) also draw reference to the policy objective of preserving and enhancing the character and appearance of conservation areas.

### **THIRD PARTY REPRESENTATIONS**

As noted above, the application has attracted considerable objection from local residents and interested parties. The grounds of objection are appraised below.

A common ground for concern amongst respondents is the scale and massing of the proposed new pitched roof to the existing detached garage and its harmful impact upon the character and appearance of the conservation area. Many are of the perception that it

would be visually prominent while resulting in the loss of light and overshadowing of the adjoining property.

As noted in the appraisal above, the previous application was refused on the basis of the harmful impact of the proposed changes to the main dwelling as well as the scale and massing of the proposed new roof of the garage. The size of the new garage roof was considered to excessive within the context of its surroundings and would result in incongruous and overly dominant structure that would be harmful to the character and appearance of the property and the conservation area.

Notwithstanding officers' decision, the Planning Inspector presiding over the appeal opined that the new roof would not be overly dominant in visual terms but instead reflect adjacent developments to the rear of nearby properties where there are a range of garages and outbuildings some of which are considered to be of the same broad scale and massing to that proposed. The Inspector concluded that the garage roof would not therefore detract from the existing property while its location behind the dwelling would also mean it would not alter or harm the existing character or appearance of the conservation area.

Notwithstanding the Inspector's acceptance of the proposed alterations to the garage, the applicant has reduced the pitch of the garage roof as part this subsequent application which has resulted in a reduction in its ridge height from 5 metres to 4.3 metres. This has significantly reduced the scale and massing of the roof to the extent that it will not be discordant with the character and appearance of the application property, neighbouring garages and outbuildings, and the wider conservation area. It will be significantly lower in height than the existing dwelling and its modest scale and separating distance to the rear elevation and windows of the adjoining property will safeguard against any unacceptable amenity impacts by way of loss of light and overshadowing. The proposed alterations to the garage therefore comply with policies GP1, EQ1 and SP3 in terms of its likely visual and residential amenity impacts.

A further common ground of objection is the perceived impact of the proposal upon existing established businesses in Llansteffan with many suggesting that a further coffee shop would be detrimental to existing food and drink premises as well as the local shop. Competition and the impact of the development upon existing businesses and commercial interests is not a planning consideration and cannot therefore be given weight in the determination of the application. As to the suggestion that Llansteffan would become over commercialised as a result of the proposal, the creation of a small coffee shop will not cause any material harm to the character of the settlement.

Matters relating to the current presence of rubbish and clutter to the side of the property are not relevant to the application as are concerns regarding the ownership of the property. In connection with the latter, the applicant has confirmed his ownership of the application property.

The respondents' concerns that the garage will eventually be turned into a separate dwelling are also not relevant to the application. Any such proposal would, in itself, require planning permission.

## **CONCLUSION**

After careful examination of the site and its surrounding environs, together with the representations received to date, the proposed development is considered to be

acceptable and in compliance with the policy objectives of the Authority's LDP as well as those of national planning policy.

The design of the scheme has been amended to address the reasons for refusal of the previous application whereby there will be no physical alterations to the external appearance of the dwelling with the exception of the insertion of the velux windows to the front and rear roof planes. The proposal will not therefore detract from the general uniformity of appearance of dwellings fronting onto 'The Green' or cause any visual harm to the wider conservation area. Similarly, the reduced height and massing of the garage roof will mean that it will not appear as an overly dominant structure nor detract from the character and appearance of the host property or conservation area.

The site is located within the development limits of Llansteffan and the modest scale of the coffee shop will be in keeping with the character of the area and that of the neighbouring tea room and shop. Moreover, it will not unacceptably harm the living conditions of adjacent occupiers and will be served by adequate car parking facilities in the public car park fronting 'The Green'. The proposal will provide a new tourist facility that will be well related to and within walking distance of nearby attractions such as the beach and castle while also being located on the route of the Wales Coastal Path which passes the front of the property. It will also provide economic benefits to the area with the creation of additional employment opportunities while also assisting in attracting visitors and tourists.

Furthermore, there are no sustained highway or ecological objections to the development and the Head of Public Protection has raised no objection from an amenity perspective. The proposal is therefore in compliance with the objectives of Policies GP1, SP15, EQ1 and SP13 of the LDP in terms of its scale and impact upon the surrounding area including the conservation area. It is also in accord with the requirements of national planning policy in that it will not cause unacceptable harm to the character and appearance of the conservation area or its setting while also contributing to economic prosperity in the area by way of job creation.

The application is therefore put forward with a favourable recommendation.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development shall begin no later than five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information:-
  - Location and site plans (GA/01 A) received on 12 February 2019;
  - Existing and proposed first floor and attic plans (GA/03) received on 20 December 2018;
  - Existing and proposed section A-A (GA/07) received on 20 December 2018;
  - Garage – proposed plans and elevations (Garage 02B) received on 10 May 2019;
  - Proposed floor plan (GA/05B) received on 23 April 2019;
  - Proposed elevations (GA/06E) received on 23 April 2019;
  - Velux Conservation Rooflight specification received on 20 February 2019.

- 3 The use hereby approved shall not be carried out outside the hours of 08:00 and 18:00 Monday to Saturday and 09:00 and 17:00 on Sundays.

## **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 In the interests of safeguarding residential amenity. (Policies GP1 and SP15)

## **NOTE(S)**

- 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)).

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*Ardal  
Gorllewin/  
Area West*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

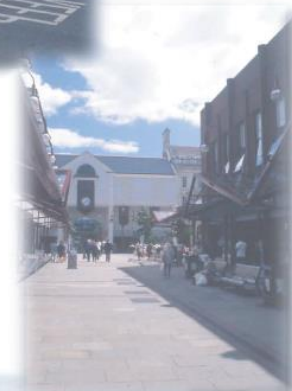
**REPORT OF THE  
HEAD OF PLANNING,  
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 09 GORFFENNAF 2019  
ON 09 JULY 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>09 JULY 2019</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/37401</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</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>Applicant(s)</b>	LIDL UK GMBH - DR WENDY HURST, WATERTON INDUSTRIAL ESTATE, OFF COWBRIDGE ROAD, BRIDGEND, CF31 3PH
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Carmarthen South
<b>Date of validation</b>	15/06/2018

**This application was the subject of a site visit by the Planning Committee at its previous meeting of the 11 June 2019. The determination of the application was deferred at the meeting until such time as a response is received from Cadw in respect of the development proposed.**

## **CONSULTATIONS**

**Head of Highways and Transport** – Has raised no objection to the development subject to the imposition of suitable conditions securing, amongst others, a scheme for the widening of part of the pedestrian footway to the north of the site and the submission of a delivery management plan as part of the development.

**Head of Waste and Environmental Services (Land Drainage)** – Has confirmed his acceptance of the surface water drainage strategy proposed.

**Head of Public Protection and Housing** – Has raised no objection to the application subject to the imposition of suitable conditions.

**Carmarthen Town Council** – Has offered the following comments in respect of the application:-

- Request that concerns and requests raised by Cadw and the Dyfed Archaeological Trust be addressed as part of the application.

- Request that the perimeter of the building be relocated sufficiently to allow for proper landscaping and greening around its perimeter, particularly on the Morfa Lane and to the north side of the building to mitigate its visual impact upon the surrounding environment.
- Further clarification is required as to how the widening of the access road will impact upon the Scheduled Monument.

**Local Member** - County Councillor A Lenny is a member of the Planning Committee and has made no prior comment on the application. County Councillor G John has requested that the Planning Committee undertake a site visit to assess the likely impact of the proposal upon the Bulwarks scheduled monument.

**Welsh Government (Transport Division)** – Has no objection in terms of the likely traffic impact upon the trunk road network.

**Dyfed Archaeological Trust** – Concerns raised regarding the impact of the development upon the setting of the nearby Civil War earthworks known as ‘The Bulwarks’ which is a scheduled monument. In doing so, they advise that the final decision as to the acceptability of the impact of the development upon the scheduled monument lies with Cadw. In the event that planning permission is granted, recommends the imposition of a condition securing the submission of a written scheme of investigation of archaeological works to be undertaken as part of the development in order to protect the historic environment.

**Cadw** – Advise that the demolition of the existing buildings on the site and their replacement with the new store will open up views to and from the scheduled monument and the modern buildings in the site will no longer dominate the scheduled monument (as is the current situation). Whilst they suggest that the position of the car park with its associated movement and noise will have an adverse impact upon the setting of the scheduled monument, on balance they consider the development will have a slight positive impact on the setting of The Bulwarks scheduled monument.

With regard to the works that will physically impact upon the scheduled monument, namely the car park extension into the western part of the monument and the widening of the access road into the site, Cadw have recently granted scheduled monument consent for these works to be undertaken. In connection with the car park extension, they confirm that the archaeological evaluations undertaken by the applicant have demonstrated that this element of the scheme will have no physical impact on any significant buried archaeological deposits or upstanding earthworks associated with the construction and use of the monument.

With regard to the access road, they’ve recommended that the proposed widening of the road be reduced in width by 1 metre along part of its length to avoid archaeological deposits identified in the applicant’s archaeological evaluation. This reduction in width is a conditional requirement of the scheduled monument consent as are alterations to the surface finish of the car park extension into the monument and the prevention of new landscaping or structures in the scheduled area.

Cadw recommend that any planning permission granted should reflect the conditional requirements of the scheduled monument consent to ensure the development will result in no unacceptable physical impacts upon the scheduled monument.

**Dwr Cymru/Welsh Water** – Has examined the foul and surface water drainage strategy submitted with the application and raised no objection to the development subject to the imposition of suitable conditions.

**Natural Resources Wales (NRW)** – Has raised no objection to the application subject to the imposition of suitable conditions.

**Neighbours/Public** – The application has been publicised with the posting of a number of site notices within the vicinity of the site and the publication of a notice in the local newspaper. Subsequent amendments to the development as part of the application process and the submission of additional supporting information by the applicant also required further re-consultation exercises whereby further site notices were posted and an additional press notice published in the newspaper.

As a result of these publicity exercises, fifteen third party letters of representation have been received from interested parties, including the Carmarthen Civic Society, all of whom object to the application. It is noteworthy that eight of these letters were received in respect of the original development layout prior to it being amended in accordance with Cadw's advice. The objections are summarised below:-

- 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.
- Negative physical impact upon the scheduled monument through its access and parking arrangements.
- The proposal will threaten the visual connection between The Bulwarks and the castle which was central to the strategic planning of The Bulwarks.
- The Bulwarks are one of the best preserved 17th century Civil War defences/earthworks within the UK and possibly Europe and should be preserved.
- The site should be developed as a historical tourist attraction or heritage centre.
- The application area is likely to contain buried archaeological remains as well as a large section of The Bulwarks.
- The designation of The Bulwarks as a scheduled monument is intended to protect it from developments such as that currently proposed.
- The widening of the road must be undertaken under qualified archaeological supervision.
- Increased traffic generation on the surrounding road network.
- The development will prevent further investigation and analysis of the scheduled monument while also affecting visitor understanding of its importance as well as the soil chemistry of any buried features.

- The development will be unsightly dominating the skyline of Carmarthen on the western approach with the signage and fencing being unattractive.
- Detract from the rural market town.
- The size of the building will create shadow and an unpleasant commercial feel to the residential houses in Morfa Lane.
- Increased noise and pollution from the car park will impact upon neighbours.
- The site is partly within and forms part of the setting of a conservation area and occupies a prominent location on one of the principal approaches into the town.
- Impact upon the setting of the Towy Valley Registered Landscape of Historic Interest.
- 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.
- The position of the building close to the scheduled monument will adversely impact upon its physical setting and block public views of its function as a defensive earthwork to a greater extent than the existing buildings on the site.
- A method statement for the demolition and clearance stage detailing how potential buried archaeological remains will be safeguarded is required.
- Loss of parts of the scheduled monument with the widening of the road and visual impact of signage.
- The introduction of a more intensive commercial use with more traffic and external illumination will have a detrimental effect upon the SAM.
- A well thought out landscaping scheme is essential to soften the visual impact of the development.
- Lack of boundary treatment and signage details.
- No separate access for delivery vehicles.
- Proximity of the access road and parking spaces to the steep slope and the safety impact of the same.
- Lack of parking spaces.
- Question the stability of the western slope to safely accommodate the development.
- The change in layout will result in a more visually intrusive development than that originally proposed and have a clear demonstrable harm upon The Bulwarks scheduled monument and its setting as well as well as that of the adjoining conservation area.

- The Bulwarks scheduled monument would be left as an 'island' of preserved archaeology.
- The perimeter of the development will be enclosed by fencing that will visually separate it from its setting with no buffer between it and the car park.
- Failure of the applicant to assess the setting of The Bulwarks in accordance with Cadw's guidance and inadequacies in the heritage assessment submitted.
- The need to promote the Bulwarks as an attraction from the Coastal Path and its link with the castle.
- Unacceptable layout and scale and design of the new store having a much larger footprint than the existing buildings on the site.
- Loss of amenity to neighbours as a result of deliveries and light pollution.
- Visual impact of the new store and adjacent plant area upon Morfa Lane.

## RELEVANT PLANNING HISTORY

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

W/20901	Construction of new glazed canopy to front entrance Full planning permission	21 May 2009
W/20759	Installation of new fence and gate and replacement fence and new gate Full planning permission	30 June 2009
W/18211	Removal of existing modular office building with proposed larger office as replacement Full planning permission	10 March 2008
TM/00880	Placement of 2 no. portacabins for office use Full planning permission	09 May 2002
W/03597	Construction of volumetric modular building for office use Full planning permission	08 August 2000
W/02450	Formation of additional car park Full planning permission	29 April 1999
D4/4399	Temporary buildings renewal Full planning permission	22 March 1978
D4/4398	Temporary office Full planning permission	23 March 1978

## **APPRAISAL**

### **THE SITE**

The application site consists of the former Carmarthen Police Station at Friars Park in Carmarthen. It is located immediately to the south west of the town centre in an area that is characterised by a mix of commercial and residential properties. The site measures approximately 1.3 hectares in area with the former police station being centrally located on an elevated plateau above Morfa Lane and the A4242 which bound its western and southern boundaries respectively. The western and southern parts of the site consist of steeply sloping grassed banks which slope down from the police station towards the roadways.

The former police station consists of a mix of building types which range from one to three storeys in height with facing brickwork and pitched and flat roofs. There are also a number of portacabin structures on the site principally above the grassed bank that flanks Morfa Lane. The buildings are surrounded by a hardstanding parking area and vehicular access is achieved via an access road that egresses onto the A4242 to the south.

The site includes part of a scheduled monument known as The Bulwarks which comprises the remains of an earthwork defensive line dating back to the Civil War in 1642-51 that was built to protect west Carmarthen. The surviving section of the defences consist of a central section of bank some 0.7 metres high fronted to the west by a 5.6 metre wide ditch and can be seen as a grassed area located within and adjacent to the north eastern boundary of the site. North and south of this are two polygonal projecting bastions with the best preserved being in the grassed area located immediately to the north of, and outside, the application site with the depth of the ditch being circa 2 metres below the exterior and 4 metres below the crest of the bank. The southern bastion consists of the sloping grassed bank that forms the southern part of the application site and flanks the access to the police station.

The central section of The Bulwarks scheduled monument located along the north eastern boundary of the site is located within the Lammas Street Conservation Area while the remainder of the application site falls outside this designated area.

The site is located immediately adjacent to and to the west of the Wilko store in the town centre with the bus station and retail areas of Merlin's Walk and Lammas Street located beyond this approximately 200 metres from the site. To the west, and on the opposite side of Morfa Lane is the Toyota car garage and neighbouring commercial buildings as well as the Tesco Extra store. Carmarthen Park is located to the north of the Tesco store. There are a number of residential properties to the north of the site that front on to Morfa Lane and these are separated from the site by a public footpath that runs contiguous with the northern boundary of the site and provides a direct pedestrian link to Friars Park and the town centre. The River Towy is located to the south of the site on the opposite side of the A4242.

### **THE PROPOSAL**



The application seeks full planning permission for the demolition of the existing buildings and structures on the site and the development of a new Lidl foodstore with associated parking, road widening, landscaping and infrastructure works.

By way of background to the proposal, Lidl currently has a store in Carmarthen town centre which is located in Priory Street approximately 700 metres to the east of the application site. The store opened in 2000 and has now become dated in terms of its floor area and operational arrangements and is too small to serve its customer base. There is therefore a need for a larger store to meet the local consumer need it currently serves while also providing a better equipped store to improve their overall shopping experience. The applicant has considered the feasibility of redeveloping the existing site, however, the site is not large enough to accommodate an extended store and adequate parking and servicing arrangements. As a result, they have decided to relocate the store to the application site. The applicant indicates that 5 additional employment opportunities will be created in addition to the 35 existing jobs as a result of the relocation proposal.

### **Site Layout and Design**

The new store is to have a gross internal floor area of 2,127 square metres of which 1,326 square metres will consist of retail floor space. It will provide an additional 328 square metres of retail floor space to that currently provided at the Priory Street store which represents a 33% increase. 80% of the overall floor space will be dedicated to convenience goods with comparison goods taking up the remaining 20%.

In the original development layout submitted with the application the store was located in the north eastern part of the site adjacent to The Bulwarks scheduled monument. However, following concerns raised by Cadw regarding its proximity to the monument and its impact upon the immediate setting and views of the same, the applicant has followed Cadw's subsequent advice in relocating the store to the south western part of the site above the grassed bank flanking Morfa Lane. The car parking area and internal access road are to be located between the store and the scheduled monument.

The building is to be of a single storey construction with a mono-pitch roof that will have a maximum ridge height of 7 metres. The principal south east elevation facing the A4242 will have a glazed frontage that will extend around to the customer entrance on the north east elevation. This will provide a contemporary appearance and an active frontage to the store when viewed from the A4212 while also providing an outlook into the store and providing a light environment for customers. The remaining elevations are to consist of two coloured insulated metal cladding wall systems. The lower levels of the walls will comprise white cladding panels laid horizontally whilst at higher levels below the eaves of the building the cladding will be grey in colour. A wrap around canopy is incorporated on the front and side elevations facing the car park to provide cover to the customer entrance while also accommodating the trolley park and customer cycle stands. The roof of the building is to have a number of solar PV panels which will follow the roof slope and be orientated in a south westerly direction.

The scheme incorporates 122 car parking spaces which are arranged around the front and side elevations of the proposed store. The layout has been arranged to allow customers to easily manoeuvre around the car park while incorporating safe pedestrian routes to and from the store and existing public footpaths around the site. The spaces include 6 disabled spaces and 8 parent and child spaces which are located close to the store for ease of access. Lighting columns will be provided in the car park and pedestrian routes.

The service area is located to the north west of the store to facilitate the manoeuvring of delivery vehicles in and out of the warehousing area which is located at the rear of the store. Provision is made for a dedicated loading bay and turning area for delivery vehicles whereby they will not encroach on any parking bays. The development also includes a hardstanding area for plant adjacent to the rear of the south west elevation. The floor levels of the store and parking areas will reflect the prevailing ground levels of the site.

Vehicular access to and from the new store will be via the existing road system leading from the A4242 on the south eastern boundary. Access is provided via a 'Left in Left Out' arrangement from the A4242 and the road also provides access to the rear service yard of the adjacent Wilkos store as well as Mill Street which provides access to a small number of residential garages. The existing roadway leading into the site is to be widened from 5 to 9 metres in width with provision being made for a new footway that will provide pedestrian access from the A4242 to the south. The scheme also includes the provision of a new pedestrian access from the store car park to the existing footpath that runs contiguous with the northern boundary of the site thereby providing direct pedestrian access to Friar's Park and the town centre.

The application has been accompanied by landscaping proposals which provide for the implementation of new planting frameworks within the development. These will include new hedgerows, tree planting and planting beds around the development particularly along the southern western boundary of the store and car park facing Morfa Lane. The development also incorporates low safety fencing between the car parking area and grassed slope to the south of the store.

The application has been accompanied by the following supporting information certain of which are appraised below:-

- Design and Access Statement
- Retail Impact Assessment
- Geo-Environmental Investigation Report
- Transport Statement and Travel Plan.
- Flood Consequence Assessment & Drainage Strategy
- Heritage Assessment.
- Archaeological Evaluation
- Pre-application Consultation Report
- Air Quality Assessment
- Preliminary Ecological Appraisal and Bat Survey.
- Noise Assessment

### **Flood Consequence Assessment & Drainage Strategy**

The Flood Consequence Assessment (FCA) confirms that the majority of the site falls within Flood Zone A of the development advice maps contained in TAN15 which is considered to be at little or no risk from fluvial or tidal flooding. A small area of the site along the southern boundary is located in Flood zone B – an area known to have flooded in the past, and Flood Zone C2 – an area considered at risk from flooding without significant defence infrastructure. The A4242 to the south of the site which provides vehicle access to the site also falls within Zone C2.

The FCA confirms that the proposed use falls within the category of 'less vulnerable' development as defined in the TAN which is considered acceptable within Zone A. Moreover, it highlights that the TAN states that such uses can also be considered acceptable in Zone C2 subject to the satisfying certain acceptability criteria.

Turning to surface water drainage, infiltration tests undertaken across the site confirm that the use of soakaways is a suitable drainage option for the development. Surface water from the store and car parking areas will therefore be discharged to geo-cellular style soakaways located beneath the car park.

With regard to foul drainage, foul flows from the development will be discharged to the existing combined public sewer located in Morfa Lane similar to the existing situation.

### **Transport Assessment**

The transport assessment considers the highway impacts of the development upon the surrounding road network and junctions while also comparing the vehicle movements with the site's previous and extant use as a police station. It also provides an assessment of the parking provision within the site.

The assessment utilises observed traffic data from Lidl in order to determine the additional trip generation associated with the relocation of the existing store while an allowance has also been made for the increased floor space of the new store.

The likely vehicular movements associated with the new store during peak periods is estimated to be closely aligned with the site's extant use as a police station while resulting in a net decrease in trips during certain peak periods. Upon completion of the relocated store the existing store will close and the assessment suggests that the majority of customers will transfer to shopping at the new store. Moreover, as the customers will have already been travelling on the highway network the change in traffic volumes will be negligible. Whilst it recognises that there will be some redistribution of vehicle movements throughout the highway network due to the transfer in trips between the existing and new store, this is deemed to have a negligible effect on the local highway network and any change will be offset by the reduction in vehicle trips, particularly during the weekday am and pm peak periods, that would have been generated by the former use of the site.

The proximity of the store to a number of residential catchments is highlighted in the assessment which, coupled with the provision of cycle, pedestrian and public transport links, make the store highly accessible by all modes of sustainable transport thereby reducing the overall traffic impact upon the local highway.

On the basis of the foregoing, it is concluded that the relocation of the store will have a negligible effect upon the performance of the local highway network.

In addition, from a parking perspective, it demonstrates that the proposed level of car parking accords with the Authority's parking standards and will be sufficient to accommodate the likely number of customers and will operate within capacity during peak periods.

### **Retail Impact Assessment**

The assessment provides an analysis of the impact of the development upon the town centre within the policy context of the Authority's Local Development Plan (LDP) and national planning policy as set out in Planning Policy Wales and Technical Advice Note (TAN) 4 which relates to retail and commercial developments.

It provides an analysis of the vitality and viability of Carmarthen town centre and, in doing so, draws upon the findings of the Authority's own Retail Study undertaken in 2010 and subsequently updated in 2015. The town centre is deemed to have a healthy mix of retail and service uses and whilst the level of vacancies is in line with national averages, the assessment suggests that the town centre's particular strength is its prominent comparison sector.

On the matter of the need for the development, the assessment again draws upon the findings of the Authority's Retail Study in confirming that the existing Lidl store in Priory Street is trading well above the level a store of its size can reasonably be expected to meet which has resulted in operational challenges in meeting the current demand. It highlights the important role that the existing store plays in convenience goods provision in the town and surrounding rural area comprising of around 10% of the total turnover. In quantitative terms, the retail study identifies a requirement of approximately 6,086 sqm metres of retail floor space in Carmarthen by 2021 which includes 981 square metres of A1 convenience goods and 4,866 sqm of comparison goods provision. This exceeds the additional floor space of 328 sqm provided by the proposed new store whereby the assessment concludes that there is sufficient capacity to support the new store.

Turning to qualitative need, the retail study found that smaller format stores typically associated with Limited Assortments Discounters such as Aldi and Lidl have become increasingly popular over recent years and that improving the existing provision in Carmarthen will therefore be of direct benefit to local shoppers. The proximity of the new store to the primary retail area of the town is also seen as a benefit to the town and shoppers by way of encouraging linked trips and reinforcing and enhancing the town's commercial strengths and position as a principal centre. Furthermore, the 'freeing up' of the existing town centre store is seen as a catalyst for a further retail opportunity and investment in the town centre.

As to the sequential approach to the selection of the site, emphasis is placed upon the site's location within 300 metres of the town's primary shopping area while also confirming that there are no other sites that can be reasonably considered available, suitable and viable to accommodate the proposed new store.

The assessment concludes that the development will not have an adverse impact upon the vitality and viability of the town centre and is therefore considered to be in accord with planning policy objectives.

### **Heritage Assessment & Archaeological Evaluation**

The heritage assessment provides an analysis of the impact of the development upon the historic environment and designated historic assets within a 1km area of the site based upon Cadw's advice contained in the publication entitled 'Conservation Principles, Policies and Guidance for the Sustainable Management of Historic Environment in Wales (2011).

It confirms that the site includes The Bulwarks Civil War defences referred to above which due to its high state of preservation has been granted scheduled monument status and protection. They form the sole remnant of Carmarthen's Civil War defences and are deemed to be the best preserved urban fortifications of this type in Wales. The scheduled monument forms part of the grassed areas in the north eastern and southern parts of the site and the assessment emphasises its important evidential and historical value through

its potential to enhance our knowledge of Post-Medieval military defences. It suggests that this potential largely rests in the buried archaeological remains that it is likely to contain.

The assessment highlights that the elevated location of the scheduled monument defences on the site would have offered views of the valley below and its setting encompassed the wider agricultural landscape as well as the medieval burgage plots of Lamas Street to the north. Notwithstanding this, emphasis is placed upon the change in character that has already taken place in the vicinity of the scheduled monument with the development of the police station on the site and the neighbouring retail development at Greyfriars Park.

The development will physically impact upon the scheduled monument with the widening of the access road from 5 metres to 9 metre in width and slightly extending the existing hardstanding area of the police station in the north eastern part of the site to accommodate the car park of the new store. Whilst both elements require separate scheduled monument consent from Cadw, the assessment opines that the boundary of the scheduled monument has already been encroached by the existing access and the proposal will not result in any further intrusive effects. Further to this, and in accordance with Cadw's advice, the applicant has undertaken an archaeological evaluation of these areas of the site. Whilst the evaluation found that these areas have been the subject of disturbance, modification and landscaping as part of the construction of the police station, archaeological features associated with the scheduled monument and possibly its original construction were encountered in trenches excavated to the south of the access road (Trenches 1 & 2). No evidence of archaeological features associated with monument were found in the area of the proposed car park extension into the scheduled area.

As to the impact upon the setting of the SM, whilst there is intervisibility between the development and the scheduled monument given their proximity, the proposal will introduce a mitigating element with the replacement of the large police station buildings with the single storey store that will restore some long distance views from the north and to the south. The increased traffic of the new store is recognised, however, overall it is concluded that the development will have a neutral impact upon the scheduled monument.

The site's location within the Registered Historic Landscape of the Towy Valley and Lammas Street Conservation Area is also recognised and assessed in the document as is the site's proximity to the Picton Terrace/Penilwyn (Carmarthen) Park Conservation Area to the west of the site. Consideration is also given to the impact upon Listed Buildings in these conservation areas as well as those located to the east of the site at Spring Gardens off the A4242.

In connection with the above, it is suggested that the development will not physically impact upon the significance and appearance of the Lammas Street Conservation Area and its associated Listed Buildings whereby it will develop an already developed area and provide a mitigating element with a reduction in building heights. This will assist in partially restoring some historic views to and from the site and wider area. Similarly, there is deemed to be no direct impact upon the Conservation Area of Carmarthen Park while the lack of intervisibility with its Listed Buildings as well as those located in Spring Gardens to the east of the site will ensure there will be no unacceptable harm to the character and setting of these assets.

Finally, in terms of the Towy Valley Registered Historic Landscape, the assessment concludes that its character won't be locally altered to a degree that will cause any harm to its character and appearance.

### **Other Supporting Documents**

As to the other supporting documents, the Ecological Appraisal confirms the site to be of moderate ecological value with the presence of tree and hedge species which provide habitat for breeding birds, and a diversity of grassland. No evidence of bats or other protected species was found in any of the buildings within the site. The proximity of the site to the Afon Tywi Special Area of Conservation (SAC) is highlighted in the appraisal and it makes a number of recommendations so as to ensure the development will result in no harm to the SAC by way of ground disturbance and run-off.

The location of the site within the Carmarthen Air Quality Management Area (AQMA) has resulted in the submission of an Air Quality Assessment of the potential impact of the development upon the same both during its construction and operation phases. The assessment concludes that the redevelopment of the site will result in no unacceptable impacts upon air quality in the AQMA.

The noise assessment considers the impact of potential noise arising from the development upon the nearest noise sensitive properties in terms of vehicle movements of both of customers and delivery vehicles and plant noise associated with the new store. It finds that the development will have no unacceptable noise impacts upon neighbouring residential properties.

Finally, the Geo-Environmental Investigation Report confirms that the site is considered stable to develop with regard to past mining activity with no known contamination that would preclude its redevelopment.

## **PLANNING POLICY**

### **Local Development Plan (LDP)**

In the context of the Authority's current Development Plan the application site is located within the development limits of Carmarthen as defined in the adopted LDP. It is contiguous with and outside the town centre designation of the town as identified in the Plan and has no specific designation whereby it appears as 'white land'. Parts of the site are designated as a scheduled monument and shown to be within the Lammas Street Conservation Area, as referred to earlier in this report.

The following policies of the Plan which are of relevance to the proposal:-

In terms of the Plan's strategic policy context, **Policy SP1 – Sustainable Places and Spaces** promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land. Furthermore, the policy promotes the distribution of development to sustainable locations in accordance with the Plan's settlement framework.

**Policy SP2 - Climate Change** supports proposals which respond to, are resilient to and adapt to minimise for the causes and impacts of climate change. Proposals for

development which are located within areas at risk from flooding will be resisted unless they accord with the provisions of TAN15.



**Policy SP3 – Sustainable Distribution Settlement Framework** identifies Carmarthen as being one of three Growth Areas within the Plan’s Settlement Framework for the County which reflects their high population levels and the availability of an extensive range of services and facilities in the strategic context. The settlements are well served by facilities that are vital to support sustainability being on sustainable transport routes and are therefore capable of accommodating a proportionally higher level of growth and development.

**Policy SP8 – Retail** permits retail proposals where they maintain and enhance the existing retail provision within the County and protect and promote the viability a vitality of the defined retail centres.

**Policy SP9 – Transportation** promotes the provision of an efficient, effective, safe and sustainable integrated transport system through, amongst others, reducing the need to travel and supporting alternative sustainable modes of transport to the private motor car.

**Policy SP13 – Protection and Enhancement of the Built and Historic Environment** requires that development proposals should preserve or enhance the built and historic environment, its cultural, townscape and landscape assets, and where appropriate, their setting. It goes on to state that proposals relating to Listed Buildings, Conservation Areas and Scheduled Ancient Monuments will be considered in accordance with national guidance and legislation.

**Policy SP14 – Protection and Enhancement of the Natural Environment** requires that development should reflect the need to protect, and wherever possible enhance the County’s natural environment in accordance with national guidance and legislation.

**Policy SP17 – Infrastructure** states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Turning to the specific policies of the Plan:-

**Policy GP1 – Sustainability and High Quality Design** is a general policy which, amongst others, promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to protect and enhance the setting and integrity of the historic environment.

**Policy GP2 – Development Limits** permits proposals within defined development limits subject to the policies and proposals of the plan, national policies and other material planning considerations.

**Policy GP4 – Infrastructure and New Development** states that proposals will be permitted where the infrastructure is adequate to meet the needs of the development.

**Policy RT1 – Retail Hierarchy** states that retail proposals will be considered in accordance with the Plan’s retail hierarchy wherein Carmarthen is designated as one of three Principal Centres.

**Policy TR2 – Location of Development: Transport Considerations** requires that developments which have the potential for significant trip generation should be located in a manner consistent with the Plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

**Policy TR3 – Highways in Developments: Design Considerations** states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. Reference is also made to the need to meet required access and parking standards as well as promoting the interests of pedestrians, cyclists and public transport as part of proposals.

**Policy EQ1 – Protection of Buildings, Landscapes and Features of Historic Importance** states that proposals for development affecting landscapes, townscapes, buildings and sites or features of historic or archaeological interest which by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area will only be permitted where they preserve or enhance the built and historic environment.

**Policy EQ4 - Biodiversity** precludes proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), unless satisfactory mitigation is proposed, and in exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made.

**Policy EP1 – Water Quality and Resources** permits proposals where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters.

**Policy EP2 – Pollution** requires that proposals seek to minimise the impacts of pollution. New developments will be required to demonstrate that they satisfactorily address any issues in terms of air quality, water quality, light and noise pollution, and contaminated land.

**Policy EP3 – Sustainable Drainage** requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated.

### **National Planning Policy**

Planning Policy Wales (PPW) (Edition 10, November 2018) provides a national overview of planning policy on a wide range of issues relevant to the proposed development.

It highlights a number of overarching objectives for retail and commercial centres which planning authorities should aim to deliver through their development plan and development management decisions ensuring the maximum contribution to the well-being goals. The planning system must promote viable urban and rural retail and commercial centres as the most sustainable places to live, work, shop, socialise and conduct business as well as sustain and enhance retail and commercial centres' vibrancy, viability and attractiveness.

Paragraphs 4.3.13 – 4.3.17 place emphasis on the need to ensure that communities have access to adequate levels of retail provision and the requirement to consider the need for

additional retail provision in determining planning applications other than in those areas designated for such uses such as defined retail centres. This approach reinforces the role of centres as the best locations for retail, leisure and commercial activities. The quantitative and qualitative need for a development must be considered and local planning authorities should determine and justify the weight given to the latter.

Paragraphs 4.3.18 – 4.3.24 advocate a sequential approach to site selection in determining planning applications for retail developments whereby the first preference should be to locate new development within a retail and commercial centre defined in the development plan hierarchy of centres. Where a suitable site is not available to meet the identified need within a retail or commercial centre, then consideration should be given to edge of centre sites which are accessible by a choice of public and private modes of travel.

Paragraph 4.3.25 refers to the potential impact new retail developments located outside designated retail centres can have on the viability and vibrancy of a centre and the need for developments to consider such issues with the submission of a retail impact assessment. It suggests that impacts resulting from such developments, whether individual or cumulative, may include changes in turnover and trading ability, traffic and travel patterns as well as affecting centre regeneration strategies and existing and proposed retail sites allocated in development plans.

The retail advice contained in PPW is reinforced in Technical Advice Note (TAN) 4: Retail and Commercial Development 2016.

Planning Policy Wales also provides the national planning policy framework for the consideration of the historic environment and is supplemented by guidance contained in Technical Advice Note (TAN) 24: The Historic Environment as well as Cadw associated best practice guidance.

Paragraph 6.1.5 of PPW states that ‘the planning system must take into account the Welsh Government’s objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations’. The historic environment is made up of individual historic features which are collectively known as historic assets and include, amongst others, Listed Buildings, Conservation Areas, Historic Parks and Gardens and Archaeological remains which include scheduled monuments. Para 6.1.2 of PPW refers.

Paragraph 6.1.6 sets out the Welsh Government’s objective for the historic environment which includes conserving archaeological remains, safeguarding the character of historic buildings and managing change, preserving or enhancing the character or appearance of conservation areas and protecting areas on the register of historic landscapes in Wales.

In connection with archaeological remains, paragraph 6.1.23 confirms that the conservation of remains and their setting is a material consideration in determining planning applications. Moreover, paragraph 6.1.26 advises that where archaeological remains are known to exist, an application should be accompanied by sufficient information through desk based assessment and/or field evaluation, to allow a full understanding of the impact of the proposal on the significance of the remains.

Paragraph 4.2 of TAN 24 advises that when considering development proposals that affect Scheduled monuments or other nationally important remains, ‘there should be a

presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains'. Furthermore, paragraph 4.7 highlights the need for applicants to undertake and provide a desk based archaeological assessment and, where appropriate, an archaeological evaluation and demonstrate how they have modified a development to minimise any negative impact upon the identified remains and how they intend to mitigate any remaining impacts.

Paragraph 4.9 of the TAN advises that when considering planning applications that affect known or potential archaeological remains, local planning authorities should consult their archaeological advisor and where they directly affect a scheduled monument and its setting, Cadw must be consulted.

Finally, paragraph 4.11 provides advice on the measures for the preservation of remains in situ while paragraphs 4.12 - 4.14 relate to the recording of archaeological evidence as part of development proposals and the use of planning conditions to secure a brief setting out the scope of archaeological work that is required as part of a development.

### **THIRD PARTY REPRESENTATIONS**

As noted in the summary above, the application has attracted considerable objection in respect of both the original and revised development layouts. The concerns raised are wide ranging and can be broadly categorised and appraised as follows:-

#### **Impact upon the Bulwarks Scheduled Monument**

This is a common concern amongst respondents whereby they highlight the historical and national importance of the scheduled monument and the need to ensure it is preserved and protected. The concerns relate to the impact of the development upon the setting of the scheduled monument as well as the direct physical impacts by widening the access and the extension of the car park.

The impact of the development upon The Bulwarks scheduled monument is one of the main issues in the determination of the application and has been the subject of a thorough analysis by officers and Cadw. As mentioned earlier in the report, the proposed store was located in the north eastern part of the site adjacent to the scheduled monument in the original development layout submitted with the application. However, following concerns raised by Cadw regarding its proximity to and impact upon the immediate setting and views of the scheduled monument, the applicant followed Cadw's advice in relocating the store to the south western part of the site.

In responding to the revised layout, Cadw advise that the existing police station complex has had a significant adverse impact upon the setting of the scheduled monument whereby it has blocked the significant long views westward from the central part of the defences within the site and also substantially impinged into the short views between the bastions to the north and south. Moreover, the scheduled monument is also dominated by tall buildings particularly the main office block which is three storeys high.

They advise that removal of all the existing buildings on the site as part of the development and the relocation of the store to the western part of the site will serve to open up the significant short views between the bastions as well as the view from the northern bastion to the river Tywi along the central line of the defence. Whilst the significant long view to the

west will still be blocked, Cadw suggest that the lower height of the new store relative to the existing buildings will reduce the feeling that the scheduled monument is dominated by modern buildings. Furthermore, they advise that the use of the site as a supermarket instead of a police station will allow the public to view the scheduled monument from the west and allow interpretation to be introduced which will draw public attention to its importance in Carmarthen's heritage.

Whilst Cadw accept that the use of the site as a supermarket will introduce more traffic movement and noise to the site, based upon the foregoing they advise that the development will have less impact on the way the scheduled monument is currently experienced, appreciated and understood and will have a slight positive impact upon its setting.

Turning to the works that will physically impact upon the monument, the scope of the archaeological evaluation undertaken by the applicant in respect of the widened access and car park extension was agreed with Cadw to inform their decision on the application for scheduled monument consent. Having considered its findings, Cadw have subsequently confirmed that the impact of the works on the scheduled monument are deemed to be acceptable and accordingly they recently granted scheduled monument consent on 21 June 2019 for these works.

In connection with the proposed car park extension, the archaeological evaluation involved the excavation of a trench along the full length of the extension into the scheduled area as part of a 'strip, map and record' exercise. It encountered a consistent layer of modern material and disturbance probably associated with the construction of the police station and modern landscaping and no evidence of earthworks or features associated with the construction or use of the monument were found in this part of the site. On this basis, Cadw are satisfied that no significant buried archaeological features or deposits will be affected by the construction of the car park.

Moreover, with regard to its aesthetic impact, the scheduled monument consent granted is conditioned to require that the surface finish of the car park within the monument shall be of a grasscrete or similar sensitive material in order to minimise the visual change from its previous landscaped (grassed) appearance. A similar suitably worded condition will be imposed on any planning permission granted to ensure consistency with the scheduled monument consent. Whilst the proposal will include the provision of a series of low hoop barriers to define the boundary between the car park extension and the monument to prevent parking on the latter, the scheduled monument consent is further conditioned to ensure that these are located within the strip of land already evaluated rather than the undisturbed ground of the monument.

The evaluation also included the excavation of three trenches at regular intervals in the break of the slope of the grassed bank of the southern bastion along the southern side of the existing access road to assess the impact of the proposed road widening works. An existing service run located at the base of the road cutting prevented an evaluation of the exact strip affected by the proposed road widening, nonetheless Cadw suggest that this is likely to have destroyed any remains of the monument along this line.

The easternmost trench (Trench 3) contained modern material, however, the central and westernmost trenches (Trenches 1 and 2) confirmed the presence of archaeological deposits likely to be associated with the construction or use of the southern bastion of the monument. Of these, only the northern edge of the central trench (Trench 2) is to be

marginally cut by the proposed widening works which could potentially impact upon any continuation of the deposits to the north towards the access road, although the findings in the trench suggest that the deposit deepens and therefore extends in the opposite direction away from the road.

Cadw advised that the existing breach of the access road, the presence of the service run on its southern side, the modern material found in trench 3 and the orientation of the deposit in Trench 2 all indicate extensive modern disturbance in this area of the monument and that the current profile of the grassed bank flanking the road does not reflect the original form of the bastion. On this basis, they advise that the proposed road widening is unlikely to affect any significant archaeological deposits on the line of the existing road and service run and that the impact on the deposit in Trench 2 or its potential northern continuation can be avoided by reducing the extent of the proposed road widening works by 1 metre over a short distance to the north of this trench. The width of the road will therefore be reduced to 8 metres (from the 9 metre width shown on the plans) at this point. This is a conditional requirement of the scheduled monument consent and the east-west extent of the reduction in width will need to be approved by Cadw prior to the works taking place. A similar suitably worded condition will be imposed on any planning permission granted to, again, ensure consistency with the scheduled monument consent.

The road widening will result in a change to the appearance and profile of the southern bastion, nonetheless Cadw conclude that this will be incremental and localised and will not significantly alter the overall form of the bastion or layout of the monument as a whole.

In addition, it is noteworthy that the scheduled monument consent granted by Cadw precludes the applicant's planting proposals within the area of the scheduled monument on the basis that they will potentially damage any previously unexplored sub-surface archaeological deposits through cultivation and root damage while also interrupting the open ground in front of and views towards the monument. A condition requiring the submission of an amended scheme addressing Cadw's concerns will be imposed on the permission granted to safeguard against any unacceptable archaeological impacts.

The scheduled monument consent also prevents the erection of any signs, posts, barriers or other structures in the area of the monument while also requiring the implementation of a watching brief and monitoring regime for the works to the monument which are to be approved by Cadw. In the event that historic or architectural features not previously identified are revealed when carrying out the works, the consent provides a mechanism whereby these must be reported to Cadw for the purposes of retaining and/or recording any such features. It also seeks to secure the provision of site interpretation such as information panels within the site to inform shoppers and visitors of the monument's significance and these details are to be agreed with Cadw as part of the scheduled monument consent.

The impact of the development upon the scheduled monument and its setting is therefore considered to be acceptable and in accord with the objectives of policies SP13 and EQ1 of the LDP as well as those of national planning policy as set out in PPW and TAN 24.

### **Visual impact upon the surrounding area including the setting of the Conservation Area and Towy Valley Historic Landscape**

A number of respondents have raised concerns regarding the visual impact of the development upon the surrounding area including the setting of the Lammas Street

Conservation Area and Towy Valley Historic Landscape wherein the site is located. Many refer to the scale and perceived visual dominance of the building on the western approach to the town as well the impact along Morfa Lane.

The Lammas Street Conservation Area primarily relates to the existing developments that flank the northern and southern sides of Lammas Street to the north of the site while also extending southwards to include the northern bastion of The Bulwarks to the north of the application site. It also incorporates the central section of the defensive bank which falls within the north eastern part of the site. The development will not physically impact upon the appearance of the Conservation Area in that it will relate to the already developed area of the police station and the scheduled monument in the site, which falls in the Conservation Area, will remain undeveloped.

The Listed Buildings within the Conservation Area are distant of and screened from the site by modern developments with the exception of the Grade II Listed Christ Church whose intervisibility with the scheduled monument will not be altered as part of the proposal. Furthermore, and as highlighted above, the removal of the existing buildings and their replacement with a building of a lower height in the western part of the site will restore historic views of the scheduled monument and Conservation Area and reduce the dominance of modern buildings. The proposal will not therefore cause any material harm to the setting of the Conservation Area.

In a similar manner, the replacement of the existing complex of buildings with a single building of a lower height within the context of neighbouring commercial and retail developments either side of the site will not result in an unacceptable change to the character and appearance of the wider Towy Valley Historic Landscape.

Turning to the perceived visual impact of the development upon the western approach into Carmarthen and the appearance of Morfa Lane. Although the building will be located in the western part of the site and be set close to and above the grassed bank that flanks Morfa Lane, the relatively low height of the building at some 7 metres will ensure that it will not appear as an overly dominant feature when viewed from both the A4242 and Morfa Lane. The building will not project any higher than the ridge levels of the residential properties of Morfa Lane to the north of the site while the generous separating distance and intervening footway and existing landscape features will safeguard against any unacceptable impacts in terms of residential amenity.

The current outlook towards the site from Morfa Lane and the A4242 is characterised by a row of portacabin structures and the dated three storey office block building within the site. Their replacement with the new contemporary style store with its mix of glazed and clad elevations will complement the appearance of neighbouring commercial developments particularly the new car garage that flanks the western side of Morfa Lane. The provision of robust planting proposals within the development and in particular the planting of native hedgerow hedgerows and additional tree planting along the top of the grassed slopes facing Morfa Lane will serve to enhance the appearance of the development in the surrounding area while at the same time providing some screening to the new building. The small plant area to the south western side of the store is to have appropriate screening from Morfa Lane in addition to the planting proposals referred to above. The former will be secured by an appropriately worded condition.

Whilst the new store will inevitably result in the erection of advertisement signage within the site, details of these have not been submitted for consideration as part of the current

application. The acceptability of any new signage will therefore be considered as part of a separate application for advertisement consent and members will have noted above that the scheduled monument consent granted prevents any signage or other structures being erected in the area of the monument. Moreover, a suitable condition will be imposed on any permission securing the provision of a suitable lighting scheme as part of the development.

Concerns regarding the erection of new fencing around the perimeter of the site are misjudged in that the only new fencing proposed within the development is low euroguard fencing to the front of the store which will provide a safety barrier between the parking spaces and the neighbouring slope. This fencing will be screened from Morfa Lane by new hedgerow planting.

The proposal is therefore considered to be in accord with the requirements of policies GP1, SP13 and EQ4 in terms of its impact upon the character and amenity of the surrounding area and the setting of the conservation area and historic landscape wherein it is located.

### **Highway Impacts**

Concerns regarding the highway safety implications of the development are raised in the objections with respondents' expressing views on the increased traffic generation and the lack of parking facilities and a separate access for delivery vehicles.

The application and accompanying Transport Assessment has been the subject of a thorough analysis by the Head of Transport who has offered no objection to the application subject to the imposition of appropriate conditions. He is satisfied that the development will result in no unacceptable impacts upon the wider road network and that the level of parking provision accords with the Authority's adopted parking standards. Moreover, he's recommended the imposition of conditions securing the implementation of a suitable delivery management plan as part of the development as well as improvements to the neighbouring footpath to the north of the site to improve pedestrian access to and from the development.

Although the width of the access to the store will be reduced to 8 metres along a short length of the widened road in order to avoid potential archaeological features within the site as required by Cadw, it is not envisaged that this will cause any access difficulties or unacceptable highway impacts given the generous width and alignment of the road.

The proximity of the store to the primary retail area of the town combined with its high level of accessibility by a range of sustainable modes of transport will encourage linked trips to the town as well as assisting in reducing the level of traffic generated by the development and the impact upon the local highway network.

The Welsh Government have also raised no objection in terms of the likely traffic impact upon the wider trunk road network.

The proposal is therefore considered to be in compliance with Policies SP1, SP9, GP1, TR2 and TR3 of the LDP in terms of its sustainability and highway impacts upon the surrounding area.

### **Other Matters**



Turning to concerns regarding the noise impact upon nearby residents, the noise assessment submitted in support of the application considered this matter in detail and concludes that the proposal will not result in any unacceptable impacts upon the living conditions of neighbouring residents. The Head of Public Protection has accepted the findings of the assessment and recommended the imposition of suitable conditions on any permission granted.

As mentioned above, matters relating to external lighting within the development and its impact upon residents has been addressed with the imposition of a suitable condition.

Issues relating to the stability of the site and proximity of the store to the grassed slope are outside the scope of the application and will be addressed as part of any subsequent application for building regulation approval.

Finally, suggestions as to alternative more suitable use site are not relevant to the application.

## **CONCLUSION**

After careful examination of the site, together with the representations received to date, the proposed development is considered to be acceptable and in compliance with the key policy and sustainability objectives of the Authority's adopted LDP as well as those of National Planning Policy. The proposal will provide a beneficial commercial use for a vacant and underused brownfield site within the town and its design, scale and layout will be in keeping with and complement the character and appearance of the surrounding area.

The retail impact assessment supporting the application provides a robust assessment of the development within the context of the requirements of the policy objectives of the LDP and national planning policy and concludes that there will be no adverse impact upon the vitality and viability of Carmarthen town centre. It draws upon the findings of the Authority's own retail study which, in quantitative terms, identifies a need for additional convenience goods floor space in Carmarthen by 2021. The development will contribute towards meeting this need and enhance the retail provision within the town while at the same time allowing the applicant to address existing capacity and operational difficulties by relocating to a larger store that will meet the demands of its local customer base.

The applicant has demonstrated that there are no sequentially preferred sites that could realistically accommodate the proposed development and whilst the site is located outside the town centre as defined in the LDP, it is nevertheless contiguous with the same and closer to the primary retail area of the town than the existing store. Its location will encourage linked trips to the town while also being accessible by a range of sustainable transport modes including walking, cycling and public transport. In addition, the proposal will result in the creation of additional employment opportunities in the town while also providing a new retail opportunity in the town centre in the existing store.

From an historic environment perspective, the development will not cause any unacceptable harm to the character or setting of historic assets located within and surrounding the site. Cadw have confirmed that there will be no unacceptable impact upon the Bulwarks scheduled monument or its setting and have recently granted scheduled monument consent in respect of the proposal.

In addition, the development satisfies the sustainability requirements of the LDP from an environmental quality and utility provision perspective by implementing a drainage strategy that will dispose of foul and surface water in a sustainable and controlled manner. Welsh Water and the Authority's drainage engineers have confirmed their acceptance of the drainage strategy proposed whereby it is considered to be in accord with the objectives of policies EP2 and EP3 of the LDP. Furthermore, from a flooding perspective, the development is located within an area that is at little or no risk from flooding and although part of the access road falls within Zone C2 and is at risk of flooding, the development will benefit from safe pedestrian access and egress to areas the north of the site in the event of a flood. The proposal is therefore in accord with the objectives of policy SP2 and TAN15 and NRW have raised no objection to the application in this regard.

There are no ecological objections to the development with the Authority's Ecologist recommending the imposition of a condition securing the submission of a Construction Management Plan to safeguard against any unacceptable pollution impacts during the construction phase of the development. Furthermore, in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017, the Authority has undertaken an Appropriate Assessment of the impact of the development upon the Afon Tywi SAC which concludes that, with the implementation of the pollution prevention measures, the development will not have a detrimental effect upon water quality within the SAC either alone or in combination with other development. NRW have confirmed their acceptance of the conclusions of the Appropriate Assessment.

Furthermore, and as outlined in the appraisal above, there are no sustained highway, amenity or pollution objections to the development. The application is therefore put forward with a favourable recommendation

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development shall begin no later than five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information:-
  - Site location plan (010001) received on 25<sup>th</sup> May 2018;
  - 1:200 scale topographic and services survey received on 25<sup>th</sup> May 2018;
  - Proposed elevations (5872 – 020001 Rev 7) received on 14<sup>th</sup> March 2019;
  - Proposed store roof plan (5872 – 010003 Rev 4) received on 14<sup>th</sup> March 2019;
  - 180kwP Photovoltaic (PV) Layout (EE-08 – Rev 1) received on 14<sup>th</sup> March 2019.
  - Proposed site layout and external area extent (5872 – 900102 – Rev 14) received on 6<sup>th</sup> March 2019;
  - Proposed site layout – Type 13 – ground floor plan (900100 – Rev 12) received on 22 May 2019.
  - Existing features and overlay plan (173-2018./82 Rev B) received on 12<sup>th</sup> February 2019;
  - Existing features plan (173-2018./82) received on 12<sup>th</sup> February 2019;

- Flood consequence assessment and drainage strategy (January 2019) received on 12<sup>th</sup> February 2019;
- Travel Plan (January 2019) received on 12<sup>th</sup> February 2019;
- Proposed store layout (5872-01002 Rev 5) received on 7<sup>th</sup> February 2019;
- Preliminary Ecological Appraisal and Bat Survey (October 2018) received on 9<sup>th</sup> November 2018.

- 3 The access and parking layout shown on the proposed site layout and external area extent drawing (5872 – 900102 – Rev 14) received on 6<sup>th</sup> March 2019 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 and parking facilities is to be obstructed by non-motorised vehicles.
- 4 Prior to any part of the development being brought into use, a detailed Delivery Management Plan for the new store shall be submitted to and approved in writing by the local planning authority. The plan is to be implemented in full in accordance with the approved details.
- 5 Prior to the commencement of development a scheme of cycle parking within the curtilage of the site which shall be dedicated to serve the proposal shall be submitted to and approved in writing by the local planning authority. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.
- 6 Prior to the commencement of development a scheme for the widening of the existing public footpath (61/8) running contiguous with the north western boundary of the site, at the location of the proposed pedestrian access to the development shown on the proposed site layout and external area extent drawing (5872 – 900102 – Rev 14) received on 6<sup>th</sup> March 2019, shall be submitted to and approved in writing by the local planning authority. The approved scheme is to be fully implemented in accordance with the approved details prior to any part of the development being brought into use.
- 7 No more than 266 square metres of the net sales area of the store hereby approved shall be used for the sale of comparison goods.
- 8 Prior to the commencement of the development hereby approved a scheme of lighting of the external areas of the development shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the development.
- 9 The rating level of the noise emitted from plant associated with the proposed development shall not exceed the existing background noise level. The background noise levels have been established as 45dB LA90 between the hours of 07:00 and 23:00, and 31dB LA90 between the hours of 23:00 and 07:00.

The noise 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. Where the background noise levels shall be expressed as LA90 1hr and the ambient noise levels shall be expressed at Laeq 1hr.

- 10 At the written request of the local planning authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to BS 4142: 2014 Methods for rating and assessing industrial and commercial sound to determine whether noise arising from development exceeds the level specified in condition 9 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Condition 9 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in the condition. The development shall then be undertaken in accordance with the approved details.
- 11 There shall be no deliveries to the store between the hours of 23:00 and 05:00.
- 12 No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.
- 13 The foul and surface water drainage scheme shown in the flood consequence assessment and drainage strategy (January 2019) received on 12<sup>th</sup> February 2019 shall be implemented in accordance with the detail shown prior to the use of the development and thereafter retained in perpetuity.
- 14 No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of the development, as well as a landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 15 No development approved by this permission shall be commenced until a Construction Environmental Management Plan detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the local planning authority. The details of the CEMP shall be implemented as approved.

As a minimum the CEMP must include the following points:-

- Storage facilities for all fuels, oils and chemicals.

- Details on any water features/sensitive habitats on the site and how they will be protected.
  - Full details of how any watercourses will be crossed or confirmation that this is not applicable.
  - Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.
  - Details of the nature, type and quantity of materials to be imported on to the site.
  - Measures for dealing with any contaminated material (demolition waste or excavated waste).
  - Details on waste types that will be produced and how they will be managed.
  - Full details of the proposed earthwork bunds.
  - Identification of any buried services, such as foul sewers, so that they are protected.
  - Details of emergency contacts, for example Natural Resources Wales' Pollution hotline 0300 065 3000.
- 16 No development shall commence until detailed specifications of the plant and associated screening measures to be erected/sited in the 'plant area' to the side of the south western elevation of the store, as shown on the proposed site layout and external area extent drawing (5872 – 900102 – Rev 14) received on 6 March 2019, have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
- 17 Notwithstanding the access layout shown on the plans herewith approved (as referred to under conditions 2 and 3 above), the widening of the proposed access road shall be reduced by a width of 1 metre adjacent to evaluation Trench 2, as shown on the Proposed site layout – Type 13 – ground floor plan (900100 – Rev 12) received on 22 May 2019. Details of the precise east-west extent of the proposed reduction shall be submitted to and approved in writing by the local planning authority.
- 18 The car park extension located within the area of The Bulwarks scheduled monument shall be surfaced with a grasscrete or similar finish. No development shall commence until details of the precise surface finish have been submitted to and approved in writing by 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 In the interests of highway safety. (Policies GP1 & TR3)
- 5-6 In the interests of sustainability and improving pedestrian and cycling facilities. (Policies SP1, SP9, GP1, TR2 & TR3)
- 7 In the interests of preserving the retail vitality and viability of the town centre. (Policy RT1)

- 8 In the interests of safeguarding visual and residential amenity. (Policy GP1)
- 9-11 In the interests of safeguarding residential amenity. (Policy GP1)
- 12 To protect historic environment interests whilst enabling development. (Policies EQ1 & SP13)
- 13 To ensure the installation of an appropriate drainage scheme and to prevent the pollution of the environment. (Policies GP1, EP2 & EP3)
- 14 To protect existing landscape features and ensure the provision, establishment and maintenance of an appropriate landscaping scheme. (Policy GP1)
- 15 To prevent the pollution of the environment. (Policies GP1 & EP3)
- 16 In the interests of safeguarding visual amenity. (Policy GP1).
- 17-18 To protect historic environment interests whilst enabling development. (Policies EQ1 & SP13)

**NOTE(S)**

- 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)).

## PLANNING COMMITTEE

Tuesday, 11 June 2019

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

**Councillors:**

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

**Also in attendance:**

Councillor G. John in respect of planning application W/37401.

**The following Officers were in attendance:**

J. Thomas, Senior Development Management Officer [South]  
G. Noakes, Senior Development Management Officer [East]  
Z.A. Evans, Senior Technician (Planning Liaison)  
E. Bryer, Democratic Services Officer

**Chamber, County Hall, Carmarthen, SA31 1JP - 1.00 - 2.10 pm**

**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Cllr. I.W Davies.

**2. DECLARATIONS OF PERSONAL INTERESTS**

Councillor	Minute Number	Nature of Interest
A Lenny	5 - 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 3A	A Close relative and other family members live in a nearby street – personal and prejudicial

**3. E/37947 - THE RETENTION OF A RESIDENTIAL GYPSY CARAVAN, EARTH WORKS TOGETHER WITH THE ERECTION OF A DAY/UTILITY ROOM, PARKING FOR ONE TOURING CARAVAN, PARKING AND TURNING AREA AND INSTALLATION OF SEPTIC TANK AT LAND AT TERNAYMAR FIELDS, OFF BRYNCEITHIN ROAD, GARNANT, SA18 1YS**

The Senior Development Management Officer (South) referred to the private site visit undertaken by the Committee earlier that day (minute 3 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 relation to highway concerns and to view the location of the caravan. 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. He advised that the Head of Planning was recommending approval of the application for the reasons detailed within the written report.

Representation was received from the Local Member objecting to the application re-iterating the objections detailed within the Head of Planning's report, with the main areas of concern being the evidence that demonstrates the applicant's gypsy status in relation to Policy H7.

In addition, concerns were raised by the Committee regarding potential issues with water supplies in the locality.

The Senior Development Management Officer (South) responded to the issues raised by the Local Member and the Committee.

**RESOLVED that Planning Application E/37947 be granted subject to the conditions detailed within the report of the Head of Planning.**

**4. 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**

(NOTE: The Chair, Councillor A. Lenny, having declared an interest in this item left the Council Chamber during its consideration by the Committee. Councillor Irfon Jones, Vice-Chair, Chaired the meeting).

The Senior Development Management Officer (East) 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 assess any likely impact the development may have upon the Bullwarks scheduled monument.

The Senior Development Manager Officer (East) advised the Committee observations had not been received from CADW and recommended the application be deferred until such time the response is received.

In accordance with Planning Committee Protocol, the objectors who had requested to speak in relation to this item, opted to make their representation when the application is next considered.

**UNANAMOUSLY resolved to defer the application until such time observations are received from CADW.**

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**CHAIR**

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**DATE**