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**THURSDAY, 9 JULY 2020**

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

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING** OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD **AT 10.00 AM ON THURSDAY, 16TH JULY, 2020** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Martin S. Davies</b>
<b>Telephone (direct line):</b>	<b>01267 224059</b>
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Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
County Hall, Carmarthen. SA31 1JP

# 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>      | Member of Llenedi Community Council      |
| 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**

**SUBSTITUTES ARE TEMPORARILY ALLOWED UNTIL THE 30<sup>TH</sup> APRIL 2021**

# **A G E N D A**

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*Ardal De/  
Area South*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR  
AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 16 GORFFENNAF 2020  
ON 16 JULY 2020**

**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>16.07.2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA SOUTH**

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**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>S/39022</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	THE ERECTION OF A CLASS A1 FOODSTORE AND A DRIVE-THRU COFFEE SHOP, WITH ASSOCIATED ACCESS, CAR PARKING, AND LANDSCAPING AT LAND TO THE NORTH OF THE B304, TROSTRE ROAD, TROSTRE, LLANELLI

<b>Applicant(s)</b>	ALDI STORES LTD, C/O AGENT
<b>Agent</b>	PLANNING POTENTIAL LTD - MR LLOYD COLLINS, 13-14 ORCHARD STREET, BRISTOL, BS1 5EH
<b>Case Officer</b>	Robert Davies
<b>Ward</b>	Bigyn
<b>Date of validation</b>	20/06/2019

## Reason for Committee

This application is being reported to the Planning Committee:

- as the County Council has a significant financial interest in the application.
- following the receipt of more than five objections from third parties.

## Site

The application site extends to some 1.76ha in area and consists of an irregular shaped parcel of land located to the immediate north of the B4304 at Trostre Road in Llanelli. The site is approximately 1.75km to the east of Llanelli Town Centre, and is located to the immediate west of the main A484/A4138 roundabout at Trostre.

Trostre Retail Park is located to immediate south of the site on the other side of the B4304, whilst Pemberton Retail Park is located to the north east with Parc Y Scarlets rugby stadium located beyond. Some residential development off Coedcae Road is located to the north west of the site beyond a wooded parcel of land.

The site sits at a lower level than the B4304 with its southern boundary defined by a tree line and drainage ditch. The eastern boundary with the main Trostre Roundabout is largely open in nature, leaving views through to this Gateway site set within the backdrop of wooded areas to the north and west of the site. There is currently a hedgerow that transverses the site in a north-west to south-east direction.

Whilst the main part of the application site is overgrown and appears previously undeveloped, historic maps indicate that Llwyn Colliery and St. George's Pit were located within the immediate vicinity.

The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted Carmarthenshire Local Development Plan. A small part of the site is covered by the mixed-use allocation GA2/MU4 'Trostre Gateway'.

Policy EMP5 identifies Trostre Gateway as a mixed use allocation (GA2/MU4) where provision is made for a *'mix of uses, with a focus on commercial and visitor economy related uses along with an allowance of 70 residential units to assist in releasing value. Retail development would not be appropriate as the site is detached from Trostre Retail Park'*.

The eastern part of the application site is located within a C2 flood zone as defined by Development Advice Maps as referred to under Technical Advice Note 15.

## **Proposal**

The application seeks full planning permission for the construction of a Class A1 Aldi retail foodstore and a Class A3 Costa Coffee shop including drive through facility with a new roundabout road junction, associated access, car parking and landscaping.

The proposal consists of a 1,787 sqm gross (1,315 sqm net) Aldi retail foodstore with associated warehouse, welfare facilities, store delivery and external plant areas. The proposed Aldi store is to be located to the north western part of the application site with the highest elevation of the single storey mono pitch design facing towards Trostre Road. The glazed shop frontage and focal corner will be facing towards the main Trostre roundabout. The original scheme proposed a building which was to be clad with metal in its entirety. At the Local Planning Authority's request, the elevational treatment was altered, and a mixture of render, brickwork and timber cladding is now proposed with the metal cladding only reserved for the roof. Additional glazing has also been included in the south facing elevation.

The proposal also consists of a 204 sqm Costa coffee shop and drive through facility. The Costa is to be located in the north eastern corner of the site, close to the main roundabout. A single storey mono pitch design is also proposed to the Costa which is orientated to address the main Trostre roundabout. An almost identical pallet of external materials as the Aldi are also proposed to the Costa

The proposed development is to be accessed via a new roundabout junction of the B4304 Trostre Road. The proposed access road off this roundabout will lead to the Aldi site entrance, with a new estate road leading to the coffee outlet. The proposed internal road network makes provision for an access spur to facilitate future potential development to the west of the application site on the main part of the GA2/MU4 mixed use allocation.

The proposed development makes provision for 168 car parking spaces, 40 of which will serve the Costa and 128 will serve the Aldi store. Eight 'Parent and Child' spaces and eleven disabled parking spaces are proposed, whilst provision is also made for eight cycle spaces.

A new foul pumping station and new electrical substation are required to facilitate the proposed development with details provided as part of the application.

The Design and Access Statement submitted with the application explains some of the on-site constraints which in turn have influenced the layout and design proposed. These include the presence of a foul rising main to the western part of the site which requires a 6m easement, some Japanese Knotweed to the north and the C2 flood zone to the east. Previous historic land uses in the area have necessitated the undertaking of detailed site investigations. As with any new foodstore proposal, the operational and servicing requirements of the store were also an important factor informing the final design proposed. The DAS explains that the landscape strategy is to retain as much of the existing landscaping as possible, and introducing new soft landscaping as appropriate whilst ensuring that views through to the new buildings are retained.

In addition to the drawings, the application has been accompanied by the following suite of supporting documentation:-

- Planning and Retail Statement
- Supplementary Retail Information
- Design and Access Statement
- Ecological Assessment
- Transport Statement and Supplementary Information
- Travel Plan
- Environmental Noise Assessment
- Landscape Management Plan
- Ground Investigation Report
- Geo Environmental Assessment Report
- Desk Study Assessment Report
- Coal Mining Risk Assessment
- Gas Assessment
- Flood Consequence Assessment and Supplementary Information
- Arboricultural Impact Assessment and Tree Protection Plan
- Pre-Application Consultation Report

## Planning Site History

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

S/25954	Advertisement hoarding Advertisement granted	09 February 2012
S/00505	Display of Advertisement – free standing display Advertisement granted	14 April 1997
D5/14312	Project sign Full planning permission	31 March 1994
D5/8042	Overhead line application Approved	16 September 1984
D5/8041	Overhead line application Approved	13 September 1984

D5/7501 Raising of existing ground level for industrial and recreational purposes  
Permission granted

19 January 1984

## Planning Policy

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

SP1 Sustainable Places and Spaces  
SP2 Climate Change  
SP3 Sustainable Distribution – Settlement Framework  
SP8 Retail  
SP9 Transportation  
SP13 Protection and Enhancement of the Built and Historic Environment  
SP14 Protection and Enhancement of the Natural Environment  
SP17 Infrastructure  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
GP3 Planning Obligations  
GP4 Infrastructure and New Development  
EMP2 New Employment Proposals  
EMP5 Mixed Use Sites  
RT1 Retail Hierarchy  
TR2 Location of Development – Transport Considerations  
TR3 Highways in Developments – Design Considerations  
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance  
EQ4 Biodiversity  
EQ5 Corridors, Networks and Features of Distinctiveness  
EP1 Water Quality and Resources  
EP2 Pollution  
EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

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

## Summary of Consultation Responses

**Head of Transportation & Highways** – No objection subject to conditions and a financial contribution towards active travel.

**Valuations Manager** - No observations received to date.

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

**Flood Defence and Coastal Protection (Suds Approval Body)** – No objection.

**Llanelli Town Council** - No objection but ask that the Local Planning Authority addresses concerns raised by residents in relation to:-

- Deemed lack of disabled parking spaces in the proposed parking area.
- Possible requirements for improved access arrangements for walkers, cyclists and users of public transport.

**Local Member(s)** – County Councillors J Edmunds and E Morgan have not responded to date.

**Natural Resources Wales** – No objection subject to conditions.

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

**Coal Authority** – No objection subject to conditions.

**Dyfed Archaeological Trust** – No objection.

**Dyfed Powys Police (Secure by Design)** – No objection subject to compliance with Secure by Design.

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

## Summary of Public Representations

The application was publicised by virtue of a number of site notices and a press notice. To date seven letters of representation have been received raising the following concerns and objections:-

- Lack of disabled parking spaces – 11 should be provided instead of the 7 proposed.
- Non-compliance with Building Regulations in terms of routes free from obstructions from the boundary to the principle entrance.
- The proposed development is car based with no provision made to promote walking or cycling. A contribution towards improving such provision should be made in accordance with the Active Travel Act.
- The closest bus stop is a significant distance away.
- Concern over increased traffic.
- The proposed retail development is contrary to the LDP aspirations for this mixed-use site. There is no commercial development, visitor economy or residential development proposed.
- Flood risk – the eastern half of the application site is within Zone C2 and the proposal fails to satisfy the tests outlined in Paragraph 6.2 of TAN15 as the eastern part of the site is not allocated. In addition, the proposed retail use does not accord with LDP aspirations. The site is greenfield and not brownfield. Inadequate FCA.
- Assurances should be given that the existing town centre Aldi store will remain open.

- Retail need – the area surrounding the application site is well served by convenience retailing. Both Tesco and Morrisons offer a range of goods including discount food items. Asda, Morrisons and Tesco are not overtrading which demonstrates that there is no need for a further supermarket in this area. Some members of the public have questioned the need for an extra coffee shop.
- Sequential approach – the approach adopted is inadequate and flawed. Specific vacant units within the town centre and edge of centre sites have not been adequately assessed in advance of this out of centre site. The lack of such sites has not been evidenced. It is also argued that the existing TK Maxx site in Parc Trostre, which is subject of a separate planning application for a LAD store, is sequentially preferable being located within a retail park, brownfield, benefits from co-location and is thus more sustainable. The application site is greenfield, is not sustainable and will not generate linked trips. It is argued that the TK Maxx store is suitable for a LAD store and available.
- Retail Impact – the applicant has failed to undertake a cumulative impact assessment. An assessment of the health of existing centres has not been undertaken. As such the retail impact assessment is inadequate and its conclusions flawed. The 2% impact on Asda, a town centre store afforded protection in terms of planning policy is underestimated. The impact would be at least 7.5%. There would be far greater than 36% diversion of trade from Tesco and Morrisons due to their proximity to the site. The 23% impact upon Aldi's existing store is significant considering the importance of this edge of town centre store and the linked trips generated from it to the town centre.

In addition, the Local Planning Authority (LPA) has received 60 letters of support. These letters have sited the following:-

- Economic benefits and job creation.
- Increased choice – wider range of products.
- More convenient.
- The town centre Aldi store is very popular, but it is too small and parking is a problem there. Better parking facilities will be provided at the new store which in turn will ease congestion at the town centre store.
- Increased competition which is good for the consumer.
- Good use of vacant land.
- Environmental benefits.

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

## **Appraisal**

The LPA considers that the main material planning considerations in the determination of this planning application are dealt with under the following separate sub-headings.

## **Retail Policy Considerations**

### **Applicant's Case**

Whilst there is no mandatory requirement for a development of this scale to be accompanied by a Retail Impact Assessment (RIA), the application was nevertheless originally accompanied by a RIA. The Agent also submitted subsequent correspondence in response to the critique from G L Hearn (GLH) who were commissioned by the LPA to advise on retail policy matters.

The Retail Statement opines that the proposals which are specific to Aldi and Costa will complement the existing Aldi and Costa's in Llanelli. It states that Aldi has had a longstanding requirement to open a second store in Llanelli and that there is currently a lack of discount food retail presence on the eastern side of the town. The closest Aldi store other than the current one is Gorseinon, and therefore the agent states that the Aldi element of the proposal will provide improved consumer choice and convenience. The Costa drive thru element is a new coffee shop concept which the agent states will supplement their existing offer in Llanelli.

The RIA largely focuses on the Aldi element of the proposal. It is based on an Aldi/Limited Assorted Discount (LAD) supermarket trading format. Such stores have approximately 1500 product lines in comparison to the larger supermarkets which have 20-40,000. Aldi do not have specialist in store butchers, fishmongers, bakeries etc which are commonplace in other supermarkets, and do not have franchises such as photo processing or dry cleaning. Aldi dedicates 20% of its store format to comparison goods on a "when it's gone, it's gone basis". It is opined that the Aldi trading format complements rather than competes with other convenience goods retailers as customers would still use other facilities to fulfil their grocery needs, and thus result in spin offs and linked trips.

The submission states that Aldi has a localised catchment and will assist in retaining expenditure within a given catchment area. The store will draw existing Aldi customers however will assist by reducing their travel distances. Reference is drawn to the CCC Retail Study Update 2015 which acknowledges changing shopping habits away from the big four supermarket retailers and towards smaller stores and discounters like Aldi and Lidl.

The retail assessment is based on a design year of 2024 which, if approved and built, is when it is expected that the new store will achieve a mature trading position.

The agent states that the proposal will result in a contemporary development for two well-known named operators. It is opined that the proposals will result in co-location and linkages with surrounding retail facilities. The economic benefits associated with creating 60 new job opportunities and social benefits through providing high quality, low priced goods and qualitative improvements are emphasised.

In terms of the Local Development Plan, the retail statement states that the proposed development will assist with the delivery of an identified Gateway site before the end of the plan period in 2021. The proposals will kick start the wider delivery of this site through the provision of significant enabling infrastructure for both the current and future development. The application site red line only overlaps part of the site leaving 3ha to be brought forward in line with the LDP strategy.

## Need

The retail statement acknowledges that PPW and TAN4 state that the need for additional retail provision should be considered first, and also acknowledges that quantitative need should be established before other qualitative aspects.

Reference is made to the Retail Study Update 2015 which states that in pure quantitative terms there is adequate provision across the County for convenience goods floorspace. However, given the significant trade currently attracted to the discount retailers, the RSU acknowledges that there may be scope for the existing discount stores to be extended or new discount stores to be developed in areas where there is limited existing provision.

The assessment concentrates on the convenience goods element of the proposed Aldi store as the comparison is only a small element of such a store and which as aforementioned relates to special offer goods.

It is argued that the significant overtrading of the existing Aldi store represents quantitative need for additional floorspace. From 2019 to 2024, available convenience goods expenditure in Zone 2 (Llanelli and surrounding area) is expected to grow by £7.1m resulting in £85.6m.

It is envisaged that the proposed new store will generate a turnover of £11.44m in 2019 increasing to £11.68m in 2024.

The assessment states that 17% of spending on convenience goods in Zone 2 takes place at discount foodstores. When assessed against benchmark, discount foodstores make up only 10% of anticipated turnover in Zone 2. Therefore, it is argued that there is a shortfall of £10m or 1,020 sqm of floorspace, which in the agent's opinion evidences a quantitative need. This identified shortfall is broadly equivalent to the size of store proposed.

It is also argued that there is a qualitative need with emphasis placed on the following:-

- Supports LDP strategy
- Co-locate retail facilities
- Increased diversity of retail provision
- Address lack of discount foodstore provision on eastern side of town;
- Sustainable by reducing travel distances
- Alleviate congestion at existing Aldi store which is an issue highlighted by respondents to the pre-application consultation process.

The RIA states that the existing Aldi store is trading at circa 228% of its company benchmark level, which clearly evidences a qualitative need also. In subsequent correspondence the agents opine that the extent of qualitative need could evidence the need for more than one new discount foodstore.

## Sequential Test

In terms of the sequential test, the RIA acknowledges the hierarchy principles for new retail development, and that only after town centre and edge of centre sites have been discounted that such out of centre sites can be considered. It is also acknowledged that retailers need to demonstrate flexibility in considering such sites in accordance with well-established caselaw.



The applicant fully acknowledges that this is an out of centre location and that the proposed development should be considered on this basis. It is stated however that the application site is adjacent to a Regional Centre (Retail Park) as defined in the LDP and adjacent to existing superstores.

It is stated that the proposal in size terms is at the lower end of what could reasonably be considered a supermarket.

The sequential test originally focussed on the eastern side of the town as this it is stated is the catchment that the proposed new Aldi store will serve. It is argued that Aldi generally serve a catchment population of between 20-30,000. Zone 2 which covers Llanelli town and the surrounding areas will have an estimated population of 58,000 in 2021/59,000 in 2024. Therefore, it is stated that it is reasonable to consider that the proposal will serve the eastern side of Zone 2, as the existing town centre store will serve the town centre and western side including Burry Port.

In terms of town centre opportunities, most units within the town centre are too small. Whilst 10-12 Vaughan Street is large enough in terms of floorspace, it is contested that it is not wide enough for a standard LAD layout, and in addition there is no parking provision immediately adjacent. Since the planning application was submitted, the LPA can confirm that 10-12 Vaughan Street has been re-occupied.

With regards to edge of centre sites, the existing Aldi store in Llanelli is on the edge of the defined town centre and therefore it is argued that it is commercially unrealistic for them to develop another store within the town centre or its edge. Notwithstanding this, it is stated that there are no suitable sites within or on the edge of the town centre to accommodate the proposal with the latter primarily characterised by medium to high density housing.

The RIA states that whilst the retail parks are not afforded any status in the retail hierarchy and are thus not sequentially preferable to the application site, there are nevertheless no suitable sites or premises on Trostre or Pemberton retail parks. The proposal is not for a retail warehouse as referred to under Policy RT9 of the LDP and therefore the retail park is not sequentially preferable. It is argued that the existing TK Maxx unit which recently had planning permission to relax conditions to allow a LAD operator to trade from there is not suitable for Aldi. The unit size, configuration, multi-level nature and shared parking arrangement are specified as reasons. In terms of parking Aldi do not typically consider new stores which share customer parking with others.

The previously approved development at Pizza Hut in Trostre was for a mix of smaller A1 and A3 units. This planning permission has not been implemented and has lapsed. Reference is also made to the then pending, since approved planning application for the Food Warehouse at Pemberton (S/39243). It is argued that this site is too small to accommodate the size of store and parking required by Aldi. The retail store proposed by Food Warehouse is some 400sqm less.

With regards to the sequential test for Costa, reference is drawn to the fact that Costa already has stores within the town centre and both retail parks. The drive thru is a new complementary concept to serve predominantly road users, and therefore requires a visible and accessible site to catch passing traffic.

## Impact

The impact aspect of the assessment adopts the principle of “like competes with like”. As aforementioned it is envisaged that the catchment area for the proposed store will mainly be to the eastern side of the town as the western side is already served by an Aldi. The main trade diversion is expected to be from the existing Aldi store itself but also Tesco, Morrisons, Lidl and Asda.

As there is an existing Aldi store in the town it is estimated that the proposed store will only have a 2% / £0.7m impact on Asda which is not considered to be significant in terms of Asda’s trading performance and function.

The largest impact is envisaged to be on the existing Aldi with a 23% / £3.85m trade diversion. However, this store is not protected in planning policy terms and is currently significantly overtrading above benchmark and will still continue to do so after the new store becomes operational. A 13% impact is estimated on Lidl.

The RIA estimates that the proposed Aldi will divert 36% of its trade from the nearby Tesco and Morrisons which equates to a 7.5% impact on each in terms of convenience trade. Again, neither of these stores are offered protection in terms of planning policy. The assessment highlights that Tesco especially has a high percentage of comparison goods floorspace and along with Morrisons has in store bakeries and franchises etc which will not be impacted by the Aldi.

A brief health check of Llanelli town centre undertaken within the assessment indicates that Aldi and Asda are busy whilst the market and St. Elli Centre had close to full occupancy. The main vacant units within the town are along Stepney Street and Vaughan Street.

The applicant was asked to undertake a cumulative impact assessment as part of the planning application process. In order to do so they based this on figures provided in their own RIA and the retail assessments provided by the agents on the applications relating to the TK Maxx unit at Trostre and the proposal by the Food Warehouse at Pemberton. The updated assessment shows that if all three of the proposed foodstores were to commence trading by 2024, the town centre Asda store would experience an impact of approximately - 5%. The total trade diverted away from Asda by the three proposed stores would be £1.7m, which is less than the anticipated growth of the store’s convenience goods sales between 2019 and 2024. Put simply, the store’s turnover would be greater in 2024 than 2019, even if all three proposed stores commence trading during this period.

The impact of all three proposals trading on the existing Aldi store is estimated at 32% but even with this scenario the store would continue to trade approximately 30% above benchmark.

Therefore to summarise, the applicant contests that the initial retail assessment concluded that there is both a quantitative and qualitative need; that there is no impact or threat to vitality and viability of existing centres; and that the application site is the only suitable, available and viable option for the proposal. On this basis they conclude that the tests of need, impact and sequential assessment are satisfied.

## **LPA's Assessment**

The LPA has sought independent advice from retail consultants G L Hearn (GLH) on the proposed development. They have provided advice upon the original RIA and subsequent correspondence from the applicant's agent.

GLH acknowledges that the proposed development is under the 2,500sqm gross threshold for Retail Impact Assessments, however PPW does advise that smaller retail planning proposals may also be subject to RIA's if deemed necessary by the LPA. In such circumstances however, PPW expects RIA's for smaller developments to be proportionate to potential impacts.

## **Need**

PPW advises that there is a requirement to establish "need" in first instance for any such out of centre proposal. Para 4.3.15 of PPW gives precedence for quantitative need (expenditure, capacity) before qualitative need (retail quality, range of goods or accessibility) however the paragraph states that "need may be quantitative, to address a quantifiable unmet demand for the provision concerned, **or** qualitative".

Sections 6.6 and 6.7 of TAN4 defines what constitutes qualitative need, along with Paragraph 4.3.16 of PPW which reads as follows:-

*4.3.16 Qualitative assessment should cover both positive and negative aspects and may become an important consideration where it:*

- *supports the objectives and retail strategy of an adopted development plan or the policies in this guidance;*
- *is highly accessible by walking, cycling or public transport;*
- *contributes to a substantial reduction in car journeys;*
- *contributes to the co-location of facilities in existing retail and commercial centres;*
- *significantly contributes to the vibrancy, attractiveness and viability of such a centre;*
- *assists in the alleviation of over-trading of, or traffic congestion surrounding, existing local comparable stores;*
- *addresses locally defined deficiencies in provision in terms of quality and quantity, including that which would serve new residential developments; or where it;*
- *alleviates a lack of convenience goods provision in a disadvantaged area.*

Para 4.3.17 of PPW states that it is up to the LPA to determine and justify the weight to be given to any qualitative assessment.

In terms of quantitative need, and in pure expenditure capacity terms, the 2015 RSU concluded that there was no convenience goods capacity for Llanelli/Parc Trostre and Parc Pemberton retail parks to 2021. GLH opine that changes to the convenience goods market since 2015 are unlikely to be substantial in terms of expenditure or store turnover to the degree that they would demonstrate a marked difference between the 2015 RSU position and the 'on the ground' reality at 2019. However, GLH state that the 2015 RSU did acknowledge a potential qualitative need for additional LAD stores in Llanelli. GLH did acknowledge the pattern of increased market share of LAD's since 2015 however and opine that any updated survey of this nature would be more favourable in terms of the quantitative and qualitative need aspects.

GLH are of the opinion that the needs expectation of PPW 10 should be capable of being satisfied by either quantitative or qualitative need. In respect of qualitative need GLH advise that it is up to the LPA how much weight it affords qualitative need aspects in the overall balance in making a decision on the planning application.

In assessing the need argument, GLH agree that due to its scale and nature, the Costa element of the proposal should be excluded from the need and impact assessment. In any event they opine that the proposed size of drive thru is unlikely to significantly affect the conclusions of the need and impact case in terms of expenditure capacity or expenditure diversion.

GLH agree that the majority of convenience goods expenditure to support the proposed store will be from Zone 2 as defined within the RSU however expect that the store will also attract convenience expenditure from other zones or possibly from outside the County considering the close proximity to the border.

GLH agree that the existing LAD stores in Llanelli were overtrading in 2016 and as aforementioned agree that the market shares of these would have continued to increase since then. They also agree that the degree of overtrading in terms of turnover is likely to support additional LAD stores operating at average LAD benchmark trading levels. However, GLH opine that this is a qualitative need rather than the approach taken by the agent to justify this overtrading in terms of quantitative need and thus quantifying the shortfall of discount foodstore floorspace as a result.

In terms of qualitative need criteria, whilst GLH do not agree with the agent's justification in relation to a number of the criteria outlined in Paragraph 4.3.16 of PPW as stated above, they do state that the quantitative need evidence provided by the agent does indicate that the existing LAD stores in Llanelli are overtrading. On this basis an additional store in the Llanelli area will assist in relieving a degree of overtrading currently experienced.

The LPA is aware that overtrading is causing problems at the existing LAD stores in Llanelli with busy car parks, especially the town centre Aldi store, and lengthy till queues at both Lidl and Aldi. In this respect the proposed store would positively contribute towards the following criteria in Paragraph 4.3.16 namely:

- assists in the alleviation of over-trading of, or traffic congestion surrounding, existing local comparable stores;

Whilst GLH opine that there is a lack of evidence within the RIA to satisfy a number of the other criteria outlined in Paragraph 4.3.16, the LPA, from its own detailed knowledge of the area would agree with the agent that there is currently a lack of discount foodstore provision

on the eastern side of the town. The provision of such a LAD store in this location should contribute to reductions in the length of car journeys whereby the population to the eastern side of the town who currently travel passed the site to the town centre Aldi or Machynys Lidl stores would no longer have to do so. Some of the population to the eastern side of the town may currently find it easier to visit the LAD store in Gorseinon and in this respect the proposal would draw back trade into the County and result in more sustainable shopping patterns. The LPA would expect that such a store could potentially draw trade from outside zones 1 to 9 of the RSU due to its close proximity to the border with the City and County of Swansea if more convenient to those customers. GLH agree with the agent's assertion that the proposed store will serve the eastern catchment of the town whilst the existing Aldi would serve the western catchment.

As will be noted in the following sections of this report, the site is close to public transport links and such links are likely to improve with the significant road infrastructure proposed as part of the proposed development. The site is immediately adjacent to Active Travel links proposed by the Local Highway Authority and the applicant has agreed to provide a significant financial contribution towards improving such links to ensure that the site is accessible by walking or cycling.

Therefore, the LPA are of the opinion that the proposed development contributes positively to a number of criteria outlined in Paragraph 4.3.16 of PPW in terms of qualitative need.

Whilst GLH opine that the number of pending applications for additional LAD stores in the Trostre and Pemberton areas is not definitive proof of the need for additional LAD stores, it is nevertheless a contributing factor.

In concluding on the needs test, GLH opine that on balance it would be difficult to defend an appeal based on a 'lack of need' case, particularly given the LDP's recognition of need for discount store(s). Therefore, GLH's recommendation would be to not resist on 'need' grounds. GLH do however advise that as the need identified is linked specifically to a LAD store, then it would be reasonable for the LPA to impose relevant conditions in this respect.

Notwithstanding the consideration of "need" in the planning policy sense, the LPA understands that the Courts have held that the word "need" means 'required' in the interests of the public and the community as a whole i.e. necessary in the public interest sense. In this regard the LPA considers that there is a public interest in bringing forward additional LAD floorspace in the area. This is evidenced by the high number of support letters submitted during the application process and the positive public response to the pre-application consultation process.

### Sequential Test

Paragraph 4.3.19 of Planning Policy Wales and 7.1 of TAN 4 are relevant in this respect.

Paragraph 4.3.19 states:

*"If a suitable site or building to meet identified need is not available within a retail and commercial centre or centres, then consideration should be given to edge of centre sites and if no such sites are suitable or available, only then should out-of-centre sites in locations that are accessible by a choice of travel modes, including active travel and public transport, be considered. Developers should demonstrate that all potential retail and commercial centre options, and then edge-of-centre options, have been thoroughly assessed using the*

*sequential approach before out-of-centre sites are considered. The onus of proof that central sites have been thoroughly assessed rests with the developer”*

As can be seen Paragraph 4.3.19 provides that the sequential test is concerned with the ‘suitability’ of a site or building to meet identified need; the availability of any such site, and; that the onus of proof for sequential assessment purposes rests with the developer. The matter of what is classed as “suitable” in this context has been determined by the Courts and provided the applicant has demonstrated flexibility with regards to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that can be made to fit the alternative site.

Paragraph 7.1 of TAN 4 sets out the order by which a planning application of this nature should be considered and reads as follows:-

*“The sequential test supports the Welsh Government’s policy objective of promoting centres identified in the retail and commercial centre hierarchy, as the most sustainable locations to live, shop, socialise and conduct business. Development plan site allocations or planning applications for retail, leisure and other complementary uses should be subject to the sequential test. The sequential location of development plan allocations or planning applications should be considered in the following order:*

*Firstly, within retail and commercial centres identified in the retail hierarchy where suitable sites, or buildings for conversion are available. Where this relates to a development plan allocation, they must be available for development within the plan period. Local planning authorities should ensure that any development plan allocation or planning application is of an appropriate scale in relation to the role and function of the centre.*

*If no suitable sites are available in retail and commercial centres then edge-of-centre locations should be considered, with preference given to brownfield sites that are or will be well connected to the existing centre and accessible by a variety of means of transport, particularly walking, cycling and public transport.*

*Only when retail and commercial centres and edge of centre locations have been considered and found to be unsuitable can out-of-centre options within, and then outside, a settlement area be considered. Where out of centre sites are concerned preference should be given to brownfield sites which are or will be well served by a choice of means of transport and are close to an established retail and commercial centre.”*

The initial RIA by the agent confined the sequential search area to the eastern part of Zone 2 on the grounds that the existing Aldi store was located to the west. GLH and the LPA were critical of this and asked them to widen the search and to examine potential sequentially preferable sites within the catchment area that the store will serve and from which it will draw its turnover, including within or on the edge of Llanelli Town Centre.

To demonstrate flexibility the agent states that the proposed store with a net sales area of 1315sqm and a minimum of 100 designated car parking spaces is at the lowest end of what could reasonably be considered a supermarket or main food shopping destination. This is accepted by the LPA.

The proposed development clearly represents out of centre development, and this is accepted by the agent. During the course of the planning application process, and following a request by the LPA, the agent provided additional information in terms of assessing town centre and edge of town centre sites. The LPA accepts that there are no suitably sized town centre sites. At the time when the application was submitted, 10-12 Vaughan Street was vacant. Despite being suitably sized, the LPA accepts that the lack of adjacent associated car parking rendered it unsuitable for a LAD store. The unit has since been re-occupied and is therefore no longer available.

The LPA also accepts that the existing Aldi store is located on the edge of the town centre, whilst the dense urban housing that surrounds the town centre means that there are no suitable or available edge of centre sites.

Based upon the information submitted, the LPA following consideration of the evidence provided by the applicant and the responses received from GLH, is satisfied that there are no suitable town or edge of centre sites for the development proposed.

Whilst Trostre and Pemberton retail parks do not form part of the retail hierarchy of centres referred to in the LDP and therefore, in sequential terms, should not be considered as centres for the purposes of the application of the sequential approach, they do nevertheless represent existing out of centre brownfield sites. The agent has provided some detail, which has already been referred to in the applicant's case section above, as to why the TK Maxx unit at Trostre and the now approved application for a new Food Warehouse unit at Pemberton are not suitable for Aldi.

Whilst the application site is greenfield in appearance, there is evidence of historic land use to parts of the site associated with former collieries within the immediate area.

Paragraph 7.1 of TAN4 does not define what is meant by "close to an established retail and commercial centre". Whilst the LDP does not recognise the retail parks as a centre for the purposes of the hierarchy, they are nevertheless established retail parks which the application site is close to, albeit detached from. The application site is close to bus stops and accessible via public transport. The connections to the existing bus stops and retail parks will be improved as a result of the infrastructure works proposed to facilitate the development. The Active Travel improvements proposed by the Local Authority, and which the applicant has agreed to provide a significant financial contribution towards, will also improve the accessibility of the area by active travel methods. The nature of the uses proposed in terms of a supermarket and a drive thru coffee shop will however primarily attract customers via car.

The sequential test for Costa which is predicated on the basis that it is to provide mainly a drive thru offer, primarily used by road users and thus would be inappropriate to locate within the town centre or retail parks, all of which already have a Costa, is accepted by GLH provided that suitable conditions are imposed to this effect.

Therefore, to conclude the sequential test, the LPA accepts that there are no suitable or available town centre or edge of centre sites. The proposed development represents an out of centre proposal on a partial historically used site, close to existing retail parks, and is accessible by a choice of travel modes and thus satisfies the requirements of Paragraph 4.3.19 of PPW and 7.1 of TAN4.

## Impact

Paragraph 4.3.25 of PPW says that “the purpose of a retail impact assessment is to consider these issues and determine if these developments are likely to have detrimental consequences”. “*These issues*” are defined by PPW10 as:

- changes in turnover and trading ability;
- consumer choice;
- traffic and travel patterns;
- footfall;
- centre regeneration strategies; and,
- existing or proposed retail sites allocated in the development plan.

In terms of impact, GLH agree with the approach taken by the agent that “like competes with like”. In this respect it is accepted that the proposal will compete principally with other main foodstores. They also advise that with the exception of the town centre Asda store, none of the other superstores referred to are offered any protection in planning policy terms.

Whilst GLH advise that any impact on Asda may have knock on effects in terms of linked trips and footfall within the town centre, they do not consider that the identified 2% impact from the proposed store can be considered sufficiently significant to justify refusing the application on impact grounds.

In terms of the cumulative assessment provided by the agent which also considers the TK Maxx and Food Warehouse developments, GLH consider the stated 5% impact on Asda to be a reliable figure. They opine that the impact on Asda is unlikely to be of a magnitude significantly higher than that outlined, given the overall shopping patterns across the Llanelli area and the format, trading nature and likely catchment of the proposals.

Generally speaking, for example, given that existing Asda customers could already transfer their trade to Aldi or Iceland (Food Warehouse) relatively easily and without significant disruption to travel patterns, there would not appear to GLH to be a significant, realistic rationale or prospect for substantial trade diversion from the Asda to the proposed new Aldi and Food Warehouse stores.

A 5% impact in this context represents the loss of turnover relative to the expected level of turnover of the store if the current level of turnover was maintained to 2024. The cumulative assessment states that the turnover of the Asda store would be expected to be close to (98%) the ‘company benchmark’ at 2024. (£34.39 benchmark turnover versus £33.58 survey derived turnover). On that basis, and given that company benchmark is by definition an average across the operator’s store portfolio and hence stores will trade at higher or lower turnovers, GLH do not consider a 5% cumulative impact on Asda could reasonably be considered significant and sufficient to justify refusal.

GLH raised the potential impact on the retail aspirations for Burry Port harbour as identified within the LDP as a consideration. In this respect there is no current committed development to consider as the previous planning permission for a retail store at Burry Port has now lapsed. The spending patterns and likely catchments for any proposed Burry Port retail proposal will differ. In this respect it is considered that there is no justifiable reason to refuse planning permission on the basis of any impact on LDP retail aspirations for Burry Port.



With regards to consumer choice and traffic and travel patterns the proposal will have positive impacts by increasing choice and by contributing towards more sustainable shopping patterns. This is evidenced by the significant number of support letters received from the general public who highlight the benefits in terms of convenience and increased choice.

On the basis of the retail policy context and assessment of all the retail evidence now provided in this application, GLH consider that a refusal on retail policy grounds would be difficult to sustain and would have potential to be overturned at appeal. They do however advise that should the LPA be minded to approve the application that suitable conditions are imposed to ensure that the resultant use of the retail unit is in line with the LAD trading format that the applicant's retail need, sequential and impact evidence is reliant upon.

## **Highways**

With regards to highway related matters some concerns have been raised in relation to increased traffic generation, accessibility by sustainable modes of travel, lack of disabled parking provision and the need for Active Travel improvements. To the contrary in some respects a significant number of support letters received highlight the convenience offered by the new store location, thus encouraging more sustainable shopping patterns and the positive impact that it will have on reducing congestion at the town centre store.

The application was originally accompanied by a Transport Assessment which included a Staff Travel Plan, whilst supplementary information was also received during the course of the planning application process following requests from the Authority's Highways section. This information has been scrutinised in detail by the Authority's Highways section who have subsequently provided the following comments.

The proposed development includes the following highway and transport related proposals:

- 1787 sqm GFA Aldi Food Store
  - 128 Car parking spaces (2.5m by 5.0m)
  - 10 Cycle parking spaces
- 204 sqm GFA Costa Drive-thru.
  - 40 Car parking spaces (2.5m by 5.0m)
  - 2 Cycle parking spaces
- New site access on Trostre Road
- Active Travel access routes

In terms of the surrounding transport network there are footway networks to the north east, south and west of the site serving the local retail parks, this includes a range of crossing facilities, although at present there is no access to the application site for pedestrians.

There are a range of cycle facilities local to the site as well as further afield ensuring that cyclists can access the site without impediment.

There are bus routes and stops immediately adjacent to and within 300m of the site in both directions. Regular and efficient routes can be accessed from local stops. This level of service ensures that the use of bus travel to visit and shop at the site is a viable option.

Site access is proposed via a new 30.8m ICD roundabout to include internal site access roads, pedestrian and cycle routes and internal and external crossing points. The internal layout of the site facilitates access and egress for service vehicles from the site access that will be able to be undertaken in a forward gear. The proposed internal road network will be two-way including the routes within the Aldi and Costa Car Parks.

An ARCADY assessment (operational assessment) of the site access roundabout shows that it has sufficient capacity to accommodate forecast traffic flows with the proposed development in place.

With regards Active Travel, Carmarthenshire County Council is progressing with an off-road network spanning Llanelli. One of the active travel network's spinal routes runs close to the north western boundary of the site connecting to the NCN. Consequently, 3m wide shared use paths are proposed on the northern side of the proposed site access road, with associated widened crossing splitter island of Trostre Road. This will facilitate a future connection between Trostre Road and Llanelli's active travel network via the site and undeveloped land to the north west. Also, in terms of Active Travel, a financial contribution of £45,825.47 towards connecting the link between the site, the remainder of mixed-use allocation site and the spinal route of Llanelli's off road active travel network has been requested and agreed by the applicant.

In terms of parking given that the proposed Aldi store is considered a modern supermarket or main-food shopping destination (performing a similar role to a larger traditional supermarket) and based on parking analysis presented in the TA (presented in Review of Car Parking Requirements); 1 space per 14 sqm GFA is proposed and considered appropriate. This equates to a total of 128 spaces and is in accordance with standards for traditional food stores (>2000 sq m).

On-site parking provision has been considered both in terms of CSS Wales Standards and operational requirements of the stores (based on experience at other stores in similar locations). The proposed parking levels and nature are considered to be appropriate for the development under consideration. In terms of disabled parking spaces, the CSS Wales Standards recommend that for car parks associated with shopping facilities that a minimum of one space for each employee who is a disabled motorist plus 6% of the total car parking capacity for visiting disabled motorists is provided. In this instance 6% of the 168 spaces provided in total equates to 10 spaces. The applicant has amended the original parking layout drawing to ensure that these standards are complied with, and 11 disabled parking spaces are now proposed.

Delivery and Servicing arrangements for the Aldi Store are considered within the Transport Assessment and are supported by track run.

Given the potential for reversing delivery vehicles (ALDI) to interfere with other car park users and the absence of delivery or servicing information for the Costa Drive Through a delivery management plan will need to be conditioned as part of any forthcoming planning permission. Whilst a delivery management plan condition is expected, the applicant explained that all ALDI vehicles are equipped with Reversing Cameras and Audible Warning Systems enabling the driver and customers to be aware of the reversing vehicle. A trained Pedestrian Marshall will also be utilised by the store to guide pedestrians in a safe manner whilst a service vehicle is manoeuvring. The delivery management plan will need to demonstrate that the proposed service and delivery arrangement are appropriate and safe.

The trip generation and traffic impact effects of the proposed development on the surrounding transportation network has been assessed within the TA and supplementary information.

The proposed site access roundabout junction has been assessed and is shown to have sufficient capacity to remain well within capacity with the development in place in the 2030 Future Year. The expected queues are no more than 1-2 vehicles on any approach with low delays to approaching traffic. The link impact of the development traffic on Trostre Road is low, C.1% during Peak Periods.

The Transport Assessment includes a Transport Implementation Strategy setting out elements of the development proposal supporting travel choice and the Local Development Plan objectives. The TIS is structured around the Travel Plan that supports the planning application.

Following detailed consideration of the information submitted, the Authority's Highways section has raised no objection subject to the imposition of conditions and the successful completion of a S.106 agreement to secure the financial contribution towards Active Travel.

## **Flood Risk**

Technical Advice Note 15 Development and Flood Risk (2004) aims to direct new development away from those areas that are at high risk of flooding. Those areas of high risk are defined on a series of Development Advice Maps (DAMs) which detail three principle zones, A, B, C and sub-categories C1 and C2 that should be used to trigger Flood Consequence Assessments. TAN 15 defines what is considered to be vulnerable development and provides advice on permissible land uses in relation to the location of the proposed development and the consequences of flooding.

The eastern half of the application site is located within Zone C2 which is defined as 'areas of floodplain without significant flood defence infrastructure'. The western half of the application site is located within Zone A which according to TAN15 is 'considered to be at little or no risk of fluvial or tidal/coastal flooding'. The proposed development represents less vulnerable development as defined by TAN15.

TAN15 states that only less vulnerable development should be considered in Zone C2 subject to the application of the justification test, including acceptability of consequences. Whilst half of the site is in Zone A where TAN15 states that the justification test is not applicable and there is no need to consider flood risk, the LPA considers that the scheme needs to be considered in its entirety in this respect and therefore this section of the report will consider the scheme against the justification tests outlined in Paragraph 6.2 of TAN15 in order to establish the degree of compliance.

Paragraph 6.2 of TAN15 reads as follows:-

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

*the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-*

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement<sup>1</sup>; or,*
- ii Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;*

**and,**

- iii It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,*
- iv The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.*

In relation to criterion (i), as aforementioned the application site is located within the defined settlement limits of Llanelli as delineated within the Adopted Carmarthenshire Local Development Plan, and a small part of the site is covered by the mixed-use allocation GA2/MU4 'Trostre Gateway'. This is a long-standing mixed-use allocation which has yet to come forward for development despite nearing the end of the current LDP plan period. Whilst it is acknowledged that retail was not envisaged for this site, only a small part of the allocation straddles the current application site leaving the possibility for the majority to come forward at a later stage. The proposed development will provide significant enabling infrastructure, primarily in the form of a new roundabout and road network into the site, drainage and electricity provision that will assist with the delivery of the wider identified Gateway site. The applicant has also agreed to provide a financial contribution towards improving Active Travel connections that will benefit the future development of the wider allocation. The proposals have the potential therefore to kick start the delivery of a site allocated within the Adopted LDP through the provision of significant enabling infrastructure, with the road design allowing for a spur to be left to access the remaining majority of the mixed-use allocation site. The proposal in this respect accords with the emphasis placed in PPW on delivering outcomes.

Therefore, the LPA considers that the proposed development will "assist" a local authority strategy, namely the Adopted LDP, and thus criterion (i) is met.

The wording of Paragraph 6.2 requires only criterion (i) or (ii) to be met. Whilst the jobs created by the proposed development are welcomed and will contribute towards the job creation aspirations of Carmarthenshire County Council as outlined in its Corporate and Economic Development strategies, the LPA does not consider that the proposed development satisfies criterion (ii). Half of the application site represents white land, and whilst the mixed-use allocation that covers part of the site does refer to commercial and visitor economy uses and thus would deliver some jobs, there is no employment land allocation relating to this site in the LDP. Notwithstanding this fact however, as criterion (i) is met the LPA will proceed to assess the degree of compliance with criteria (iii) and (iv).

In terms of criterion (iii) Planning Policy Wales defines previously developed land as "that which is or was occupied by a permanent structure and associated fixed surface infrastructure". The Coal Mining Risk Assessment submitted with the planning application includes historic maps that indicate a railway line to the northern boundary of the application site and the former St. George's Pit/Llwyn Colliery to the immediate west of the site. The

response from the Coal Authority refers to evidence of coal mining activity at shallow levels to the northern part of the site and requires further investigations in this respect which will form a condition of any planning permission granted. Notwithstanding these historic uses however, due to the extent to which the site is currently greenfield, the LPA considers that the application site does not constitute previously developed land as defined by PPW and therefore the proposed development does not satisfy the second element of criterion (iii).

The first part of criterion (iii) refers to the aims of PPW. Paragraph 1.2 of PPW states that “the primary objective is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales”. In this respect it is considered that the proposed development does concur with the aims of PPW, especially the social and economic aspects. It also concurs with the placemaking objectives of PPW which through the creation of sustainable places will improve the well-being of communities. The proposed development will deliver a Gateway development that will result in both economic and social benefits to the wider community, and will contribute towards more sustainable shopping patterns. Therefore, the LPA is of the opinion that the proposed development, in part, satisfies criterion (iii).

The last of the criteria outlined in Paragraph 6.2 requires the potential consequences of a flooding event for the particular type of development to be considered and found to be acceptable. In this respect the application was originally accompanied by a Flood Consequences Assessment. In their original response, Natural Resources Wales (NRW) advised that the base modelling needed to be updated before they could comment on the FCA, whilst a 30% allowance for climate change was also needed. NRW also advised that any proposed mitigation measures in the form of increasing levels needed to consider displacement in order to prove compliance with table A1.12 of TAN15.

The FCA was updated accordingly and a revised report was submitted for consideration during the course of the planning application process addressing the comments made by NRW. This FCA indicates that the main risk to the site is fluvial flooding from the River Dafen. The FCA considers the 1:100 and 1:1000 year annual probability of fluvial flooding events and applies a 30% allowance for climate change to the 1:100 event.

The proposed finished floor level of the Aldi store is 6.7m AOD and Costa 6.1m AOD. The FCA indicates that the maximum flood level for the 1:1000 year annual probability fluvial undefended scenario is 6.69m AOD. The entire development proposal is shown to be flood free during the 1:100 plus climate change event and thus complies with A1.14 of TAN15 according to NRW. As the finished floor level of the Aldi store is above 6.69m AOD, NRW confirm that the Aldi element of the proposal is compliant with all criteria within A1.15 of TAN15.

As the finished floor level of Costa is at 6.1m AOD, it will flood to a depth of 0.59m AOD during the 1:1000, which is just below the 600mm threshold referred to in A1.15. The velocity during the 1:1000 event is assessed as below 0.3 m/sec which is also compliant with A1.15. The FCA does indicate that some of the parking areas will flood to a depth of 0.98m AOD during the 1:1000 event, thus exceeding the 600mm threshold in A1.15.

Additional detail received in relation to Rate of Rise and Speed of Inundation indicates that the Rate of Rise of flood water during the 1:1000 event is estimated at 0.6m/hr and is therefore not compliant with the 0.3m/hr guidance in A1.15. The maximum speed of inundation is estimated to be 1 hour, which is also not compliant with the 2 hour guide referred to in A1.15.

In order to ensure that by raising ground levels on parts of the site the proposal does not increase flooding elsewhere, the FCA proposes to implement flood compensatory measures within the development boundary. These measures comprise the provision of compensatory flood storage volume within the site on a level for level basis using a cut and fill approach, and by achieving an additional flood storage volume in the order of 5,760 cubic metres. These measures ensure compliance with A1.12 of TAN15.

In terms of flooding, NRW conclude that they offer no objection to the proposed development from a flood risk perspective.

The applicant's technical reports and evidence indicates that the majority of the development complies with TAN15 with the exception of the flooding depth to certain parts of the car park, the Rate of Rise and Speed of Inundation which exceed the guidance in A1.15. Paragraph A1.15 of TAN15 clearly states however that the table contained within this section should not be regarded as prescriptive and provides indicative guidance on what is considered tolerable for different types of development. In this instance the proposal represents less vulnerable development, and the agent has confirmed in writing that the applicant is fully aware of the flood risks and will produce their own Emergency Flood Evacuation Plans accordingly.

The detailed reports and evidence submitted has been considered by NRW who has raised no objection from a flood risk perspective. Therefore, the LPA considers that the potential consequences of flooding have been considered, would not pose any unacceptable risks and therefore the proposed development is considered to comply with criterion (iv) of Paragraph 6.2.

Therefore, to summarise, the proposed development partially complies with para 6.2 (iii) because it is not previously developed land in the strictest sense. However, it complies with all other aspects of para 6.2. In the circumstances, the Council considers that it is reasonable to treat it as complying with the policy as a whole. Even if it does not comply with all aspects of the policy to the letter, given the lack of objection from NRW on flood risk and the Council's own consideration of flood risk generally at the site, it is considered that the development is acceptable from this perspective.

## **Drainage**

In terms of foul and surface water drainage, the submitted FCA also included a Drainage Strategy.

The existing site drainage section of the FCA acknowledges the presence of a foul rising main crossing the western area of the site. This is the foul rising main that serves the wider Parc Trostre to the south of the proposed site. This rising main crosses the site and discharges into a foul break chamber located in the undeveloped land to the north of the site, to the south of the A484. From here, the sewer falls in a northerly direction, via gravity, to a combined manhole close to the westbound carriageway of the A484.

The nearest storm sewer is located to the west of the proposed site. This appears to be a storm pump station that collects storm water from the ditches that are located along the eastern and southern site boundary. The asset map shows the storm rising main to be rising in a westerly direction, away from the site.

As the site is undeveloped there are no other positive drainage assets. An existing ditch forms the eastern and southern boundaries of the site and further investigation is required to determine the exact outfall of this ditch.

The proposed surface water drainage strategy for the site is undertaken in accordance with SUDS principles, and will need to be approved under a separate SUDS approval process with Carmarthenshire County Council Drainage Engineers. This SUDS method adopts the hierarchical approach to dealing with surface water disposal.

As a result of ground investigation works undertaken the report states that soakaways are not considered feasible due to the presence of relatively impermeable strata underlying the site. It is therefore proposed to discharge storm water generated by the proposed development to the existing ditches at the southern and eastern boundary. It is proposed that the post-development discharge rate be restricted to match the greenfield QBAR rate for the site such that flooding is not worsened downstream when compared with the pre-development scenario. An allowance for climate change will be included in the drainage design to account for increases in rainfall intensity over the design life of the development.

As aforementioned, in addition to the planning submission, a SuDS scheme application will be made to Carmarthenshire County Council as SuDS Approval Body (SAB) for the area. The Authority's Drainage section has acknowledged this and has raised no objection towards the proposed development. Notwithstanding the information provided to date, a condition will be imposed on any planning permission granted requiring the submission and subsequent approval of a surface water drainage scheme. As part of the separate SAB process the applicant will need to evidence the hierarchical approach to dealing with surface water in a more detailed manner. Whilst the applicant considers that ground conditions are unfavourable for soakaways it does not necessarily follow that all forms of infiltration are not feasible.

In terms of foul water drainage, it is proposed to connect the foul drainage from the development to the existing break chamber of the existing foul rising main that crosses the site. The existing invert level of this chamber is too shallow to make a gravity connection. It will therefore be necessary for a foul pump station to be located on site and for a new rising main to be laid to the existing chamber. A pumping station up to adoptable standard is proposed to be located between the Aldi and Costa buildings. Foul pipework from each of the buildings will fall to the pump station via gravity. The proposed connection is subject to DCWW approval and will be made under a section 106 direct connection application. The adoption of the foul pump station and foul laterals is also subject to DCWW approval under a S104 adoption application.

The proposed method of foul water disposal to the mains sewer is considered to be the most appropriate and sustainable method. Dwr Cymru/Welsh Water has been consulted on the application and has raised no objection subject to conditions.

The proposed development also needs to evidence compliance with the agreed CBEEMS Memorandum of Understanding which was drawn up to safeguard water quality in the protected estuary and which only allows for new foul connections to be made within the Llanelli Waste Water Treatment catchment when compensatory surface water removal or a suitable improvement scheme has been implemented within the same catchment. This will then reduce flows within the existing combined sewerage network which on occasions discharges via combined sewer overflows directly to the estuary. The agreed relevant details

must be recorded on the register of compensatory surface water disposal which is held by the Local Planning Authority.

In this respect the LPA drew the applicant's intention towards this requirement and as a result supplementary information was received during the course of the planning application process.

There is clearly no available option on site to achieve surface water removal from the combined sewer. The supplementary information states that ALDI's existing estate within the MoU area is limited to the existing stores at Swanfield Place in Llanelli and Millers Drive in Gorseinon. Both of these stores already have separate foul and surface water systems, and do not discharge surface water to the combined sewerage network, therefore no opportunity exists to remove flows from the network.

The applicant has therefore been in discussions with the Authority's Property section to establish whether any betterment flows achieved on some of the surface water removal projects that they are implementing within the Llanelli wastewater treatment works catchment can be used as part of this development. According to the supplementary statement and confirmed by the Authority's Property section, it has been agreed that some of the betterment achieved at the sports pavilion and car park at Penygaer Playing Fields, Bryndulais Avenue, Llanelli can be used as part of this development. This development includes diversion of surface water drains around the changing rooms, to discharge to soakaways and the adjacent Afon Lledi instead of the combined sewer.

This proposal removes surface water runoff from approximately 1078m<sup>2</sup> of positively drained impermeable from the sewerage network, giving a discharge rate to the sewer of 3.236L/s (based on a 1 in 30-year storm with duration of 5hrs for the Burry Inlet area in accordance with Appendix 1 of the MoU).

The MoU requires a bespoke solution for major developments and is not specific in terms of the betterment factor. It is however considered that a betterment factor of 1.5 would be acceptable and therefore the scheme at Penygaer could allow enough betterment for a peak foul discharge rate of up to 2.157L/s.

It is intended for this allowable discharge of flows to be allocated across several developments, including several residential developments and the proposed ALDI store and Costa drive through. It has been estimated that the proposed Aldi and Costa development will result in a peak foul flow of 0.27 l/s, equivalent to 21 residential units.

The current proposal for residential developments includes 34 units at Dylan, and 90 units at Cwm y Nant. The combined discharge is therefore equivalent to 145 residential units, to give a peak flow rate of 1.885L/s. This would subsequently give a betterment factor of 1.72, above the 1.5 minimum suggested to be acceptable.

The LPA therefore considers that the applicant has adopted the relevant sequential approach for identifying opportunities for surface water removal and betterment, and it is considered that the off-site scheme identified at Penygaer, which has now been completed, does provide sufficient betterment. The LPA therefore considers that the proposal accords with the CBEEMS MoU and will proceed to update its surface water removal drainage register accordingly.



## **Ground Conditions**

A Preliminary Geo-Environmental Report has been prepared to review previous uses of the site and advise on the likelihood of contamination within the site. The report concludes that the risk to human health and controlled waters is considered to be low. The report also states that relatively low gas concentrations have been recorded in the ground however gas monitoring is ongoing. A full assessment will be made on completion.

Additionally, a Desk Study Assessment has been prepared to determine the site's environmental setting and likely site conditions, highlighting potential areas of concern that may govern the site's redevelopment. It identified that whilst the site has largely remained undeveloped a refuse heap has been located on the northern part of the site. A coal pit and a former colliery were located to the west of the site. In addition, a number of nearby industrial uses have been identified within 250m of the site including tanks, a garage/filling station and electricity substations. However, based on the site having a commercial end-use, the risk to human health is considered to be low.

The site is located in a Development High Risk Area according to the Coal Authority. In addition, the Swansea 5ft coal seam is indicated to subcrop beneath the site. The coal mining report indicates that the property is in the likely zone of influence from workings in 3 seams of coal at shallow to 300m depth.

As a result of the above, a Coal Mining Risk Assessment report was submitted with the application in order to determine the risk to the site from possible mine workings and the need for intrusive ground investigation works. Some intrusive site investigation works have taken place and results provided during the course of the planning application process, however further investigations to the northern part of the site are proposed. The Coal Authority concurs with the recommendations of the applicant's consultants that the coal mining legacy potentially poses a risk to the proposed development and that further investigations are required, along with possible remedial measures, in order to safeguard the safety and stability of the proposed development.

The Coal Authority has confirmed that such further intrusive works can be secured via the imposition of suitably worded conditions on any planning permission granted.

The supporting reports have also been considered by both Natural Resources Wales and the Authority's Public Health section. NRW has confirmed that it is satisfied that the risk to controlled waters are low. However, to ensure the protection of controlled waters from any unsuspected contamination request that the unsuspected contamination condition is included within any permission granted.

The Authority's Public Health section has not raised any concerns from a human health perspective subject to the imposition of the same condition requested by NRW.

## **Noise/Air Quality**

From a noise perspective, an Environmental Noise Assessment Report was submitted with the application which concluded that the likelihood of noise from the proposed Aldi and Costa development would not give rise to significant adverse impact. This assessment was based on unrestricted operating and servicing hours, however acknowledged that Aldi and Costa do not trade 24 hours a day

The report states that the fixed plant equipment can be designed in such a way to ensure that suitable plant rating noise levels can be achieved at the nearest noise sensitive properties in Llwynycfarthwch.

This report has been considered by the Authority's Environmental Health Officers who have confirmed that they have no objection towards the proposed development on noise ground subject to the imposition of conditions on any planning permission granted.

In terms of air quality, whilst an air quality assessment was not submitted with the application, the Authority's Environmental Health Officers have also assessed the application in this respect also. They have raised no objection subject to the imposition of a condition requiring a scheme for the mitigation of dust during construction works. No conditions in terms of any operational requirements have been recommended.

## **Heritage**

The application site does not contain any listed buildings or scheduled monuments and is not located within a conservation area. There are also no such designations close by either. Therefore, the proposed development will not have any direct or indirect effects on the setting of such heritage assets.

The Authority's Archaeological Advisors, Dyfed Archaeological Trust (DAT) has confirmed that the application site is not located within a Registered Historic Landscape as defined by Cadw, and there are no recorded heritage assets within the site boundary. DAT therefore consider the potential for archaeological features or deposits to extend into this area to be low, and therefore advise that no further action is required to protect the historic environment in respect of this proposed development.

## **Ecology**

As aforementioned the application was accompanied by an Ecological Assessment which assessed the ecological impacts of the proposed development.

The ecological assessment opines that there will be no impact on statutory or non-statutory designated sites primarily due to the nature of the proposed development and separation distance from such sites.

The report acknowledges that the proposed development will result in the loss of species poor semi improved grassland; scrub and a select number of trees including a single oak of local importance. However, considering the surrounding habitats, the loss of habitats within the site is considered to be an impact within the site only. The majority of mature trees are being retained however, with a significant amount of new trees and landscaping proposed.

There is reference made to the presence of some Japanese Knotweed on Carmarthenshire County Council owned land to the north of the site. The report recommends that the applicant liaises with the landowner in this respect in order to prevent spread into the site.

The report assesses potential implications upon Amphibians, Bats, Birds and Invertebrates and makes suitable recommendations where required.

The report concludes that there would be no adverse ecological effects as a result of the proposed development, whilst there is also scope to improve and enhance biodiversity. In this respect the imposition of a condition requiring mitigation and enhancement strategy measures is suggested.

This document has been reviewed in detail by the Authority's Planning Ecologist who has confirmed that she is satisfied with the level of assessment made, the findings of the submitted assessments, and the ecological recommendations provided within the aforementioned documents. As such she considers that the recommendations meet the LDP policy objectives listed above subject to the imposition of conditions on any planning permission granted.

In terms of designated sites, the Planning Ecologist has advised that this application site is within 1.4km of the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), the Burry Inlet Special Protection Area (SPA) and Ramsar site. As a competent authority under the Habitats Regulations the LPA has to consider the impacts of development on the features for which the European sites are designated and where necessary undertake a Test of Likely Significant Effect. It is considered the development proposed within this application will not likely impact on the SAC, SPA and Ramsar habitat or species features. The works proposed are not considered to pose a significant pollution risk due to the distance between the application site and the designated sites. The habitat is not considered suitable for SPA and Ramsar site bird features to utilise currently. The works proposed are not considered to pose a significant disturbance risk, as the works are 1.4km away from the site. NRW have raised no concerns in response to this application and consider the risk to controlled waters are low.

It is therefore considered not likely that the development will cause any adverse effects including sediment transfer and deposition, turbidity, noise, visual presence, physical disturbance, contamination and nutrient transfer. The development will not change the coherence of the site or the Natura 2000 network. There will be no reduction in the area of habitat within the SAC/SPA/Ramsar site. There will be no direct or indirect change to the physical quality of the environment (including the hydrology) of the habitats within the site. There is unlikely to be any ongoing disturbance to species or habitats for which the site is notified or changes in species composition or population size of any feature and it is considered there is no pathway to significant effects. Therefore, on this occasion a full TLSE has not been undertaken.

In addition to the response received from the Authority's Planning Ecologist, Natural Resources Wales has not raised any concerns in terms of ecology. NRW note the content of the report and that no trees, that have been identified as having low or moderate roosting potential for bats, will be removed as part of the development. Provided this is the case NRW offer no adverse comments in respect of protected species and welcome the mitigation and enhancement strategy detailed in Section 5 of the report.

### **Landscape and Trees**

The application was originally accompanied by a Landscape Management Plan, Tree Removal Plan and Soft Landscape Proposals Plan. During the course of the planning application process and following discussions with the Authority's Landscape Officer, a revised Soft Landscape Proposals Plan was submitted for consideration along with a Arboricultural Impact Assessment and Tree Protection Plan.

The soft landscape proposals as amended indicate that the majority of existing trees are to be retained. A significant amount of new tree planting is proposed both within the site, and to the site boundaries, including areas where a small number of existing trees are to be removed.

There is also a significant amount of hedge planting, ornamental and native shrub planting proposed as part of the development.

In terms of hard landscape materials, the main element will be black macadam to shared and all parking bays. There will be trolley storage and cycle hoops in the store entrance area. Under the canopy, dark grey floor tiles will be used, with black macadam to the area beyond. The rear access and escape path will consist of concrete paving slabs. Paving slabs and metal railings have been proposed to identify the external seating areas of the coffee outlet.

The Authority's Landscape Officer has raised no objection to the landscape proposals as amended subject to the imposition of relevant conditions on any planning permission granted. It is considered that the proposed landscaping will complement and enhance the existing, and will make a positive contribution towards this Gateway site.

## **Design and Layout**

It has been highlighted throughout the report that the application site represents a prominent 'Gateway' site, highly visible from the surrounding road network including the main Trostre roundabout which effectively represents the eastern approach into Llanelli town. Therefore, ensuring a high quality design and layout is of paramount importance.

During the course of the planning application process the applicant was asked to amend and improve the visual appearance of the Aldi store element of the proposal. The original design had a mass of cladded walling to the south elevation. Amended plans received introduced more glazing to this elevation, whilst the external finishes were altered to a mixture of render and timber cladding, which serve to break up the elevation and also ensure continuity with the Costa design.

The scale and massing of both buildings is considered acceptable and as aforementioned are broken up by the use of different contemporary materials. The designs ensure that the plant and servicing areas are away from the main public interface areas.

The position and orientation of the proposed Costa ensures that it addresses the main Trostre roundabout but also allows for a vista through the main elevation of the proposed Aldi store.

As aforementioned also, a significant amount of new soft landscaping is proposed to enhance the visual appearance of the site, whilst the layout proposed is acceptable to highways from an operational and servicing perspective. The layout and road infrastructure design makes provision for suitable active travel and other linkages to the surrounding area.

It is therefore considered that the proposed scheme is acceptable in design and layout terms, and conforms with and enhances the character and appearance of the area. It is therefore considered to be compliant with relevant LDP policies, TAN12 and the placemaking objectives of PPW by kick starting the delivery of a wider Gateway

development and will result in economic, sustainability and social benefits to the wider community.

### **Alignment with the Adopted Carmarthenshire Local Development Plan, 2014**

The combined effect of s. 38(6) of the Planning and Compulsory Purchase Act 2004 and S. 70(2) of the Town and Country Planning Act 1990 is that the determination of an application for planning permission is to be made in accordance with the development plan, unless material considerations indicate otherwise. Therefore, the starting point for consideration of the application must be the development plan and in this respect this section of the appraisal assesses the alignment with the aforementioned relevant LDP policies.

SP1 Sustainable Places and Spaces – in this regard it is considered that the proposal does accord with policy as it represents a sustainable form of development that will result in more sustainable shopping patterns.

SP2 Climate Change – in this regard it is considered that the proposal does accord with policy as it represents a sustainable form of development for the reasons already specified in the report and on balance accords with the provisions of TAN15 in relation to flooding.

SP3 Sustainable Distribution – in this regard it is considered that the proposal does accord with policy as the development proposed is within the defined growth area of Llanelli.

SP8 Retail - in this regard it is considered that the proposal does accord with policy as the development will enhance the existing retail provision within the County whilst not compromising the viability and vitality of existing defined retail centres.

SP9 Transportation - in this regard it is considered that the proposal does accord with policy as by encouraging more sustainable shopping patterns the proposed development will reduce the need to travel, whilst the development will also enhance active travel linkages.

SP13 Protection and Enhancement of the Built and Historic Environment - in this regard it is considered that the proposal does accord with policy as there are no built or historic environment assets affected by the proposed development.

SP14 Protection and Enhancement of the Natural Environment - in this regard it is considered that the proposal does accord with policy in that the assessments provided with the application have concluded that there will be no adverse ecological affects associated with the development and relevant consultees, including the Authority's Planning Ecologist has agreed with these findings.

SP17 Infrastructure - in this regard it is considered that the proposal does accord with policy in that the location where the development is proposed is served by appropriate infrastructure, and relevant statutory consultees including Dwr Cymru/Welsh Water have raised no objection.

GP1 Sustainability and High Quality Design in this regard it is considered that the proposal does accord with policy in that the scale, design, layout and landscaping of the proposed development will enhance the character of the site.

GP2 Development Limits - in this regard it is considered that the proposal does accord with policy in that the application site is within the defined settlement limits of Llanelli.

GP3 Planning Obligations - in this regard it is considered that the proposal does accord with policy in that the applicant has agreed to provide a financial contribution to fund improvements to Active Travel infrastructure arising from the development.

GP4 Infrastructure and New Development - in this regard it is considered that the proposal does accord with policy in that the location where the development is proposed is served by appropriate infrastructure, and relevant statutory consultees including Dwr Cymru/Welsh Water have raised no objection.

EMP2 New Employment Proposals - in this regard it is considered that the proposal does accord with policy in that the proposed development is located within the defined settlement limits of Llanelli and are of an appropriate scale and form.

EMP5 Mixed Use Sites – in this regard it is considered that the proposed does not accord with policy in that the proposal is for a retail development on a site which was not envisaged to be appropriate for retail development. Notwithstanding this however, the application site only straddles a small part of the mixed use allocation, and the development will provide significant enabling infrastructure that will assist in the delivery of the wider mixed use allocation. This along with other material considerations is an important consideration in the overall balance.

RT1 Retail Hierarchy - in this regard it is considered that the proposal does accord with policy in that due regard has been given to the retail hierarchy as part of the planning application process.

TR2 Location of Development – in this regard it is considered that the proposal does accord with policy in that the proposed development is located in a highly accessible and sustainable location.

TR3 Highways in Developments – in this regard it is considered that the proposal does accord with policy in that the design and layout has a suitable access arrangement and appropriate car parking, whilst the proposal will not be detrimental to highway safety or cause significant harm to the amenity of residents.

EQ1 Protection of Buildings, Landscapes and Features of Historic Importance - in this regard it is considered that the proposal does accord with policy in that there are no built or historic environment assets affected by the proposed development.

EQ4 Biodiversity - in this regard it is considered that the proposal does accord with policy in that the assessments provided with the application have concluded that there will be no adverse ecological affects associated with the development and relevant consultees, including the Authority's Planning Ecologist has agreed with these findings.

EQ5 Corridors, Networks and Features of Distinctiveness - in this regard it is considered that the proposal does accord with policy in that the proposed development does not adversely affect features of local distinctiveness or ecological networks.

EP1 Water Quality and Resources - in this regard it is considered that the proposal does accord with policy in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters, and relevant statutory consultees have not raised any concerns or objections in this regard.

EP2 Pollution - in this regard it is considered that the proposal does accord with policy in that the proposed development will not result in any adverse pollution issues, whilst relevant statutory consultees have raised no objections subject to the imposition of certain conditions on any planning permission granted.

EP3 Sustainable Drainage - in this regard it is considered that the proposal does accord with policy in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been investigated, whilst this will need to be looked at further as part of the SAB process.

## **EIA screening**

As the area of development is approximately 1.76 ha and as such exceeds the threshold of 1ha outlined in Column 10 (B) of Schedule 2 of the EIA Regulations whereby a screening opinion is required. The LPA undertook such a screening opinion under Section 8 of Part 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as part of the application process.

The development falls under the 'Urban Development Projects' description of Column 1 of Schedule 2 of the Regulations with the applicable threshold for the same being, 1ha of non dwellinghouse development. The development clearly exceeds these thresholds and accordingly consideration was given to the selection criteria contained in Schedule 3 of the Regulations which fall under the categories of:

1. Characteristics of development.
2. Location of Development.
3. Types and characteristics of the potential impact.

Notwithstanding the foregoing criteria the Authority must firstly consider whether the development falls in a 'Sensitive Area' as defined in the Regulations. Such areas include Sites of Special Scientific Interest, National Parks, Areas of Outstanding Natural Beauty, The Broads, World Heritage Sites and Scheduled Monuments. In this regard, it does not.

The proposal has an acceptable package of supporting reports and where identified mitigation measures which reduce the impact of the development and as such the proposal was not considered significant in the context of EIA regulations.

In conclusion, and in accordance with the requirement for a screening opinion for a development of this scale and nature the Local Planning Authority considers that an EIA was not required for the proposed development.

## **Planning Obligations**

As aforementioned the applicant has agreed to a request by the Authority's Highways section to make a financial contribution of £45,825.47 towards Active Travel and specifically towards connecting the link between the site and the remainder of the mixed-use allocation site with the spinal route of Llanelli's off road active travel network which is being implemented by Carmarthenshire County Council.

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

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

### Conclusion

As aforementioned in this report, the determination of such a planning application is to be made in accordance with the development plan, unless material considerations indicate otherwise. The appraisal has shown that the proposed development accords with the majority of LDP policies with the exception of Policy EMP 5.

The above appraisal has indicated that the proposed development for both the new Aldi and Costa meets the relevant retail planning policy tests, and the advice received from the LPA's independent retail consultants is that a refusal on retail policy grounds could not be sustained.

Para 4.3.17 of PPW states that "It will be for the planning authority to determine and justify the weight to be given to any qualitative assessment. Regeneration and additional employment benefits are not considered qualitative need factors in retail policy terms. However, they may be material considerations in making a decision on individual planning applications if the regeneration and job creating benefits can be evidenced"

In this respect, and as with all planning applications, an on-balance decision must be made taking into consideration a number of factors.

The Welsh Government in Chapter 5 of PPW defines Economic Development as:

*"the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses." (Paragraph 5.4.1)*

It goes on to state that:

*"Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. The construction, energy, minerals, waste and telecommunications sectors are also essential to the economy and are sensitive to planning policy" (Paragraph 5.4.2)*

Paragraph 5.4.4 states that:

*"Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration..."*



TAN 23 Economic Development (2014) re-iterates the broad definition of economic development contained within the Chapter 7 of PPW, and states that it is important that the planning system recognises the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations.

PPW therefore acknowledges retail as an economic land use and therefore the economic benefit in terms of inward investment and the creation of 60 new jobs is an important material consideration in the determination of this application. It is considered that on balance the proposal would not significantly conflict with the Trostre Gateway mixed-use allocation in the Adopted LDP. In fact, it is considered that through the provision of significant highway infrastructure works, estimated to cost around £678,000, the proposed development has the potential to facilitate the future delivery of the wider mixed-use allocation.

As well as the economic effects, it is considered that the proposed development represents a sustainable form of development which will also have positive social effects. This is evidenced through the significant amount of support letters to the application and positive responses to the original PAC process. Such responses, as well as the positive economic aspects, have sited the increase convenience and choice offered by a new LAD store on this side of the town, which points towards more sustainable shopping patterns in future.

The report has considered that the proposed development is acceptable in size, scale and design terms and will provide a contemporary development on this prominent site. The significant amount of soft landscaping proposed will have environmental benefits.

There are no technical issues associated with the proposed development whilst there are no statutory consultee objections to the proposed development. It is also considered that the proposed development will not result in any adverse residential amenity issues.

Notwithstanding the identified conflict with Policy EMP5 of the LDP, it has been shown that through providing significant enabling infrastructure, the proposed development could assist with delivering the aspirations of EMP 5 for the Trostre Gateway site. Therefore, in considering all material planning considerations the LPA considers that the proposal complies with the LDP as a whole.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval subject to the following conditions and the successful completion of a S.106 agreement.

## **Recommendation – Approval**

### **Conditions**

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-

- Proposed site plan (150733-1400 -P14) 1:500 @ A1 received 23<sup>rd</sup> June 2020;
- Soft landscape proposals plan (1341-01 Rev F) 1:250 @ A1 received 23<sup>rd</sup> June 2020;
- General arrangement compact roundabout 30.8m ICD 1:200 @ A1 (10323SK0012B) received 17<sup>th</sup> March 2020;
- Cut-fill analysis plan (10323SK0011 Rev A) 1:500 @ A1 received 28<sup>th</sup> January 2020;
- Timber knee rail details (AD5301) 1:10 @ A4 received 27<sup>th</sup> August 2019;
- Aldi elevations (1505-P2) 1:100 @ A1 received 27<sup>th</sup> August, 2019;
- Typical refrigeration plant area details (AD5299 Rev L) 1:50 @ A3 received 27<sup>th</sup> August 2019;
- Plant compound details (268-R6) 1:50 @ A3 received 27<sup>th</sup> August 2019;
- Typical sub-station details (1600 P1) 1:50 @ A3 received 27<sup>th</sup> August 2019;
- Close boarded fence details (AD5302) 1:20; 1:5 @ A4 received 27<sup>th</sup> August 2019;
- Pumping station details (004A) 1:500 @ A3 received 27<sup>th</sup> August 2019;
- Post and fencing details received 27<sup>th</sup> August 2019;
- Proposed sections (1503-P3) 1:200 @ A1 received 18<sup>th</sup> June 2019;
- Section A-A, B-B key plan (1502-P3) 1:200; 1:1250 @ A1 received 18<sup>th</sup> June 2019;
- Location plan (110-P3) 1:2500 @ A4 received 5<sup>th</sup> June 2019;
- Existing site plan (1150-P3) 1:500 @ A1 received 5<sup>th</sup> June 2019;
- Costa elevations, key plan (1504-P1) 1:100; 1:200 @ A1 received 5<sup>th</sup> June 2019;
- Aldi roof plan (1402-P1) 1:100 @ A1 received 5<sup>th</sup> June 2019;
- Costa roof plan (1404-P1) 1:100 @ A3 received 5<sup>th</sup> June 2019;
- Site plan – residual site (1120-P3) 1:2500 @ A4 received 5<sup>th</sup> June 2019;
- Costa floor plan (1403-P1) 1:100 @ A3 received 5<sup>th</sup> June 2019;
- Aldi floor plan (1401-P2) 1:100 @ A1 received 5<sup>th</sup> June 2019.

3 The A1 retail unit hereby approved shall not be used for any other purposes including those set out in class A1 of the schedule for the Town and Country Planning (Use Classes) Order 1987 or any Order revoking, amending or re-enacting that order with or without modification and shall be subject to the following limitations:-

- The retail floorspace hereby approved shall not exceed 1787sqm gross (1315 sqm net);
- No more than 20% of the permitted retail floor area shall be used for the sale of comparison goods; and
- No more than 1800 product lines shall be sold from the retail unit at any one time.

4 The A3 coffee shop unit hereby approved shall have a drive-thru facility and shall not be used for any other purposes including those set out in class A3 of the schedule for the Town and Country Planning (Use Classes) Order 1987 or any Order revoking, amending or re-enacting that order with or without modification.

5 The A1 retail floor space hereby approved shall not be subdivided into smaller units without express planning permission.

- 6 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 7 Prior to any use of the development herewith approved, the required access roads, footways and footpaths from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.
- 8 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking and turning facilities is to be obstructed by non-motorised vehicles.
- 9 No development shall take place until a detailed Construction Traffic Management Plan is submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in full and as agreed.
- 10 No development shall take place until a detailed Delivery Management Traffic Plan is submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in full and as agreed.
- 11 The development should be undertaken in strict accordance with the recommendations made in the Flood Consequences Assessment produced by Craddys referenced 10323w0001 dated January, 2020, and received by the Local Planning Authority on the 10<sup>th</sup> January, 2020.
- 12 No building shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
- 13 The proposed development site is crossed by a 150mm public foul rising main with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.
- 14 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.
- 15 No development shall commence until further intrusive site investigations have been carried out on site to establish the exact situation in respect of shallow coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

- 16 Where the findings of the intrusive site investigations (required by the condition 15 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.
- 17 The rating level of sound emitted from any fixed part or machinery associated with the development shall not exceed the existing background sound level. The rating sound levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for Rating and Assessing Industrial and Commercial Sound and/or its subsequent amendments.
- 18 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of sound emissions arising from the development to determine whether they exceed the sound levels specified in condition 17. The assessment shall be undertaken under the supervision of the Local Authority.
- 19 In the event that Condition 17 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the sound level specified in condition 17. These measures will then be implemented forthwith.
- 20 Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of demolition and construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 21 All site operations shall be undertaken in compliance with the approved landscape constraint and protection information, as defined in the Arboricultural Impact Assessment and Tree Protection Plan received on the 23<sup>rd</sup> December, 2019.

Any construction operations and/or access within the defined construction exclusion zone(s) (CEZ) shall be limited to those undertaken in compliance with the recommendations of BS5837.

CEZ(s) shall be fully implemented prior to the commencement of any works associated with the development; and thereafter maintained in entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

Any existing landscape elements, identified for protection, or part thereof, which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the existing landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as

may be agreed with the Local Planning Authority, and thereafter likewise conditioned for a further period of five years.

- 22 The approved Landscape Design Scheme (LDS), as defined in the Soft Landscape Proposals Plan (1341-01 Rev F) 1:250 @ A1 received 23<sup>rd</sup> June, 2020 shall be fully implemented in the first available planting and seeding seasons following commencement of development.

Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

- 23 No development shall take place until a Drainage and Service Infrastructure (DSI) Plan has been submitted to and agreed in writing by the local planning authority.

The DSI Plan shall indicate the: position, depth and height of all existing and proposed underground, overhead and associated surface DSI elements in relation to the Landscape Design Scheme (LDS) as defined in the Soft Landscape Proposals Plan (1341-01 Rev F) 1:250 @ A1 received 23<sup>rd</sup> June, 2020

The DSI Plan shall demonstrate that potential conflicts have been minimised through DSI design and layout. In locations where, potential conflicts with the approved LDS are identified, a DSI Method Statement shall accompany the DSI Plan. The Method Statement shall specifically provide details of construction and installation operations and specific design solutions for all DSI elements located:

- within the root protection areas of all trees, large shrubs and hedges identified for retention;
- within proposed landscape areas.

The development shall thereafter be carried out in accordance with the approved DSI Plan and Method Statement.

- 24 Prior to the construction of the buildings hereby approved samples of the materials to be used in the construction of the external surfaces of the buildings must be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 25 Notwithstanding the information submitted with the application, no development shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

- 26 The development shall be undertaken in strict accordance with the recommendations made in Sections 4.15, 4.17, 4.21 and 4.22 of the Ecological Assessment produced by Tyler Grange dated 22<sup>nd</sup> May, 2019 and received on the 5<sup>th</sup> June, 2019.

- 27 Prior to the commencement of development a detailed lighting strategy shall be submitted to and approved in writing by the local planning authority. The submitted details shall adopt the recommendations made within both the Ecological Assessment and Section 5.4 of the Design and Access Statement. Development shall take place in accordance with the approved details.
- 28 Prior to commencement of development a pollution prevention method statement detailing all necessary pollution prevention measures for both the construction and operational phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall adopt the recommendations made within both the Ecological Assessment and Section 5.3 of the Design and Access Statement. The details of the plan shall be implemented as approved and must be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2+24 In the interest of visual amenity
- 3-4 To accord with the applicant's justification and to ensure that the development does not compromise the retail strategy of the development plan and/or national planning policy and to protect the vitality and viability of existing centres. Furthermore, other retail uses or changes to the format of retail sales would require further justification and consideration by the LPA.
- 5 In the interests of preserving the retail vitality and viability of town centres, and to reflect the basis of the retail assessment.
- 6-10 In the interest of highway safety.
- 11 To prevent the risks of flooding and in accordance with TAN15.
- 12 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 13 To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 14 To protect the environment and human health and comply with LDP Policy.
- 15-16 In the interest of land stability and health and safety.
- 17-19 To preserve residential amenity.
- 20 To ensure that the amenity of local residents/businesses is adequately protected from dust during demolition/construction.

- 21 To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.
- 22 To ensure that the development enhances the character and appearance of the site and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity: thus delivering the objectives of CLDP policies: - SP1 d) and i); GP1 a), f) and i); EQ5; and where appropriate EQ6
- 23 To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990. And to ensure that the development enhances the character and appearance of the site and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity: thus, delivering the objectives of CLDP policies: - SP1 d) and i); GP1 a), f) and i); EQ5; and where appropriate EQ6
- 25 To ensure a satisfactory means of surface water disposal.
- 26-27 In the interests of biodiversity.
- 28 Prevent pollution of the wider environment.

## **Reasons For Granting Planning Permission**

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

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP2 of the LDP in that the proposed development is resilient to the impact of climate change and accords with the provisions of TAN15.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP8 of the LDP in that the proposed development will enhance existing retail provision and will not compromise the viability and vitality of existing defined retail centres.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.

- It is considered that the proposal complies with Policy SP13 of the LDP in that the proposed development respects, and will not adversely affect the built and historic environment or its setting.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the application site is within defined settlement limits.
- It is considered that the proposal complies with Policy GP3 of the LDP in that the application will be subject to a Planning Obligation to meet the requirements arising from the development.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.
- It is considered that the proposal complies with Policy EMP2 of the LDP in that the proposal will create new employment opportunities of an appropriate scale within defined settlement limits.
- Whilst the proposed development does not strictly comply with Policy EMP5 of the LDP the proposed development will deliver significant enabling infrastructure that will assist with the delivery of the mixed use allocation, and it is considered that this along with other material considerations as referred to under Section 38(6) of the Planning and Compensation Act 2004 warrant a relaxation of the Policy requirements in this instance.
- It is considered that the proposal complies with Policy RT1 of the LDP in that the proposed development has fully considered the retail hierarchy.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ1 of the LDP in that the proposed development preserves the built and historic environment.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.



- It is considered that the proposal complies with Policy EQ5 of the LDP in that the proposed development does not adversely affect features of local distinctiveness or ecological networks.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.

## Note(s)

- 1 The applicant/developer is advised that this consent is subject to the applicant entering into a legal agreement with the local planning authority under Section 106 of the Town and Country Planning Act 1990. This agreement shall cover a commuted sum financial contribution of £45,825.47 towards Active Travel improvements specifically the provision of a link connecting the site and the adjacent allocated site to the spinal route of Llanelli's off-road active travel network.
- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 3 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.

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*Ardal  
Gorllewin/  
Area West*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

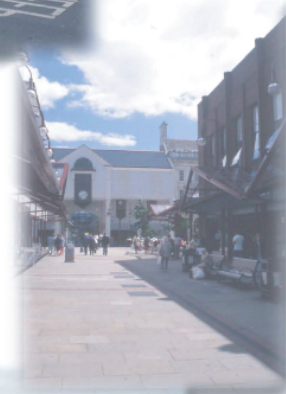
**REPORT OF THE  
HEAD OF PLANNING,  
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN/**

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

**AR 16 GORFFENNAF 2020  
ON 16 JULY 2020**

**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 yn 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>16.07.2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/37854</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	FULL PLANNING APPLICATION FOR THE EXTENSION OF PENLAN HOLIDAY PARK INCLUDING THE DEVELOPMENT OF 17 NO. MOBILE HOMES AND ASSOCIATED WORKS. RETROSPECTIVE PERMISSION IN RELATION TO GROUND WORKS UNDERTAKEN IN THE FIELD PARCEL TO THE EAST AT PENLAN HOLIDAY VILLAGE, CENARTH, NEWCASTLE EMLYN, SA38 9JN

<b>Applicant(s)</b>	MAURICE BLACK, C/O AGENT,
<b>Agent</b>	LHS PLANNING - LOWRI HUGHSON-SMITH, 19 STARLING WALK, PENALLTA, CF82 6BH
<b>Case Officer</b>	Graham Noakes
<b>Ward</b>	Cenarth
<b>Date of validation</b>	02/08/2019

## Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr H Evans due to her concerns that the provision of 17 additional units shall be an over-development of the application site and with regard to the proposed use of part of the Penlan Farm track for access to the application site. More than five objections from third parties also necessitates the application being reported to the Committee.

## Site

The application site comprises two separate areas of land, both adjacent to the northern extent of Penlan Holiday Park located along the B4332 road, approximately one-mile south-west of the village of Cenarth. The holiday park has 98 timber lodges in a woodland setting, along with an office/amenity block, café and swimming pool. The park is presently served by two vehicular access off the B4332.

The larger of the two elements of the application site that extends to some 0.8ha to the north-west of the existing holiday park, is the lower, southernmost part of a large field with the land rising some 6 metres from the point of access at its south-eastern corner across the site to the north-west. The southern, western and eastern boundaries of the

application site are formed by well-established trees/hedgerows with the northern boundary open to the rest of the field resulting in the character of the site being clearly one of a green space within a rural setting.

Several loose stone hardstandings for touring caravans have been created within the field without planning permission with the enforcement investigation in respect of which is presently on hold pending the outcome of this application. The children's play area that serves the holiday park located alongside the access into the application site is to be retained.

Access to this part of the application site shall require travelling over a short stretch of the track leading to Penlan Farm which is in third party ownership. While the question of right of access over the track is a private matter for the parties concerned, the applicant has provided detail of the right of access over that private land and served the relevant formal notice required as part of the application process on the third-party landowners.

The second, smaller element of the application site is a broadly rectangular, level area of land that amounts to some 0.3ha immediately alongside the building approved for maintenance purposes at the holiday park. The land which is again well contained by mature trees/hedgerows has been the subject of the importation of stone to form a hard surface for which permission is sought retrospectively in this application. An enforcement investigation into the alleged unauthorised use of the maintenance shed and compound for vehicle repairs is ongoing.

Reflecting its rural setting, the application site is located outside of the development limits for Cenarth and as such is considered to be in the open countryside and within the Teifi Valley Special Landscape Area as defined in the LDP.

## **Proposal**

Full planning permission is sought for the use of the land for the siting of 17 static caravans for holiday use, 13 of which are proposed to be within the larger part of the application site, the majority of which are to be sited around the perimeter, with the remaining 4 to be sited in a linear fashion on the land alongside the maintenance building compound. Although broadly similar, the proposed development would compromise two alternative design/types of caravan. The caravans shall be sited on individual hardstandings with each pitch having car parking provision alongside. Externally, the caravans are to be clad in stained softwood with a grey tile effect roof covering and grey coloured uPVC windows. The access roads and parking areas are to be of a tarmac surface.

In terms of infrastructure, in addition to the new access roadways a new sewerage treatment plant is proposed that shall be located to the east of the 4 linear caravans in close proximity to the existing reed bed foul drainage system.

New landscaping/planting is to be provided along both the open boundary of the larger application site and also within the proposed development.

The application proposes the closure of the easternmost vehicular access with all of the holiday park traffic then using only the westernmost of the two current access points along the B4332.



The current proposal is a revision of the initially submitted scheme for 23 lodges; shower block, 8 touring pitches, and 4no. staff accommodation units and has been submitted in response to concerns with regard to the overall extent of the development; visual impact, as it was to proposed to develop the whole of the field within which the larger part the current application site is located that sits a far higher level; and that there was no demonstrable need for staff accommodation on site.

## Planning Site History

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

TMT/04227 Outstanding elements of planning application  
W/04442 - B) siting of 25 lodges and to provide environmental improvements, including 3 wildlife/amenity ponds, and new landscaping belts. C) New field study centre. D) Removal of two residential lodges, relocation of two holiday lodges and replacement with two dwellings for managerial accommodation

File closed in February 2019 due to inactivity for a number of years following its initial committee consideration in 2004 when further information was deemed to be required

W/04442 Replacement amenity/reception building (central facilities) & maintenance/storage building and machinery compound  
Full planning permission

11 October 2001

## Planning Policy

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

Policy SP1 Sustainable Places and Spaces stipulates that proposals for development will be supported where they reflect sustainable development and design principles by distributing development to sustainable locations, supporting the roles and functions of defined settlements, making efficient use of previously developed land, ensuring developments positively integrate with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure.

Policy SP3 Sustainable Distribution Settlement Framework seeks to concentrate development in sustainable locations within existing defined settlements such as identified growth areas, service centres, local service centres and other defined sustainable communities.

Policy SP13 Protection and Enhancement of the Natural Environment seeks that development should reflect the need to protect and wherever possible enhance the County's natural environment.

Policy SP15 Tourism and the Visitor Economy supports the provision of new and extensions of existing tourism businesses within the County provided they accord with the

locational hierarchy which seeks to concentrate developments in existing settlements in line with sustainability objectives.

Policy GP1 Sustainability and High Quality Design is a general policy which 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.

Policy TR3 Highways in Developments – Design Considerations relates to the highway design and layout considerations of developments and 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.

Policy TSM1 Static Caravan and Chalet Sites is particularly pertinent to this development and stipulates that extensions of existing sites shall only being permitted where it would not have an unacceptable impact upon the surrounding landscape, would not unacceptably increase the density of units and scale of the site and offers improvement.

Policy EQ4 Biodiversity states that 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), will not be permitted 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 EQ6 Special Landscape Areas states that proposals for development which enhance or improve the Special Landscape Area through their design, appearance and landscape schemes will be permitted.

Policy EP2 Pollution states that proposal shall not conflict with air quality objectives, cause a deterioration in water quality; minimise noise and light pollution; risks arising from contaminated land are minimised.

Policy EP3 Sustainable Drainage states that proposals should adopt a sustainable drainage system or demonstrate why such a system has not been incorporated.

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

PPW (paragraph 5.5.3) while recognising the potential for rural tourism also highlights the need for development to have due regard to its setting; *“In rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy. Here development should be sympathetic in nature and scale to the local environment.”*

That national planning policy is further reflected in TAN6 which advises of the key role the local planning authority (LPA) has to play in supporting the delivery of sustainable rural communities while also protecting and enhancing the natural and historic environment. A key question for the planning authority, when determining planning applications, is whether the proposed development enhances or decreases the sustainability of the

community. Paragraph 3.1.1 conveys that *“Strong rural economies are essential to support sustainable and vibrant rural communities. A strong rural economy can also help to promote social inclusion and provide the financial resources necessary to support local services and maintain attractive and diverse natural environments and landscapes”*.

TAN13 comments that tourism *“...makes a major contribution to the Welsh economy, provides employment in a wide variety of occupations and can bring benefits to local economies and communities in urban and rural areas”*. The balance between the potential tourism benefits and landscape harm are again highlighted; *“Holiday and touring caravan parks are an important part of the self-catering holiday sector and can contribute as much to the local tourism economy as serviced holiday accommodation, while using less land for the purpose. Holiday caravans can be intrusive in the landscape, particularly on the coast.”*

TAN5 provides guidance on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation with a primary aim being the integration of nature conservation into all planning decisions, whilst looking for development to provide a net benefit for biodiversity conservation.

TAN12 conveys the Welsh Government commitment to achieving the delivery of good design in both the natural and built environment and that the appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted.

TAN23 requires local planning authorities to assess the economic benefit associated with determining planning applications for economic development. Where a planning authority is considering an application that could cause harm to social and environmental objectives, the latter of which has been highlighted as a concern by third parties, the TAN proposes an approach where three questions that should be asked:

- Are there alternative sites for the proposal?
- How many direct jobs will result from the proposal?
- And would such a development make a special contribution to policy objectives?

This approach echoes the central object of the planning system to steer development to the most appropriate sustainable locations.

## **Summary of Consultation Responses**

**Head of Transport** – offers no objection subject to the imposition of conditions to secure the closure of one of the two existing vehicular accesses, necessary visibility splays and turning area along with the need for a financial contribution of £10,000 towards a Traffic Management Scheme to reduce the current speed limit from 60mph (NSL) to 40mph, along the B4332 fronting the site and beyond it.

**Head of Public Protection, Social Care and Housing** – offers no objection to the application.

**Cenarth Community Council** – Commented in respect of the initial scheme; do not support the proposal:-

- ‘Having discussed the application with exiting lodge owners their feelings were that the site is being over developed and becoming commercialised. Their peace and tranquillity would come to an end. Many owners have bought their lodges for privacy and forest setting and feel that all this will be lost’.
- Odours emanating from the existing sewerage scheme.
- The proposed development shall overload the existing sewerage scheme with the potential for overflow into a small river tributary of the River Teifi.
- Highway safety implications along the road that features several bends and narrow sections.

**Local Member** – Councillor H Evans requested that the application is determined by the Planning Committee, acknowledges that the revised scheme has reduced the number of caravans but considers the provision of 17 additional units to be an over-development of the application site and has concerns with regard of the use of the Penlan Farm track for access to the application site.

**Natural Resources Wales** – Having considered the proposed foul drainage system and the required Test of Likely Significant Effect (TLSE) pursuant to the Habitats Regulations in respect of the proximity of the proposed development to the River Teifi, offers no objection to the application.

**Dwr Cymru Welsh Water** – Offers no objection to the application; commenting that ‘the existing water network has insufficient capacity to provide guaranteed mains water supplies to this proposed development. Extensive off-site watermains will need to be laid to the curtilage of this site for which financial contributions are required under Sections 40 - 41 of the Water Industry Act 1991. Costs can be calculated upon the receipt of detailed site layout plans which should be sent to the address above.’

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

## Summary of Public Representations

The application was publicised by way of site notice both on receipt of the original application and again on receipt of the revised, current scheme with 16 representations of objection received from 9 respondents. Eight of the respondents, including a submission by a planning consultant on behalf of a group of eight leaseholders commented in response to the initial publicity exercise; 6 of whom have reiterated their objection to the revised scheme, with one further objection received in response to the revised scheme.

The grounds of objection refer to one or more of the following:-

- The proposal for mobile caravans on an open field does not represent a sensitive addition to the existing holiday park that comprises of lodges within a woodland setting.
- The proposed mobile caravans do not reflect the stated architect design of the existing woodland lodges.
- The density of the proposed scheme is too high.

- The proposed scheme shall be an unacceptable visual intrusion.
- The proposed scheme shall be an unacceptable extension into the open countryside and the Special Landscape Area.
- The proposed scheme has no regard to the gradient/topography of the land.
- The proposed scheme shall result in the loss of an area of informal, open recreational space and as such a loss of amenity for holiday park users as this is the only large open space on site.
- Concerns regarding the ability to suitably dispose of foul and surface water; the existing reed bed sewage scheme is at capacity and unable to cope with the increased number of holiday units.
- The proposal shall place increased pressure upon the existing infrastructure including highway/roadways, electricity and water.
- The proposal shall have a harmful impact upon biodiversity.
- The proposal does not conform to LDP policy TSM1 in that no financial justification has been made; the density of the proposal is inappropriate; the proposed mobile homes do not reflect the character and context of the existing lodges; the proposal does not enhance the surrounding landscape.
- The applicant has no right of access over private land from the existing park to the application site.
- Common orchids along the access from the existing park to the application site shall be lost.
- The vehicular access to the holiday park is unsuitable for additional traffic.
- The proposed development is not readily accessible by non-car modes of transport including public transport, cycling and walking.
- The layout of the proposal suggests that it is the initial phase of further development.
- No justification for staff to reside on-site.
- The owner/applicant has already contravened several planning rules, with it alleged that he is letting the parks maintenance yard out to a vehicle repair business and that he has put down hard standings within the application site.

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

## **Appraisal**

## Principle of the Development

A key issue in the determination of the application is considered to be whether the development and aspirations of the existing caravan park business can be accommodated without any material harm upon the landscape. This endeavour aligns with national planning policy and guidance that recognises the contribution tourism related development can make to the rural economy, balanced against the need to ensure that development proposals do not result in a significant adverse impact on the landscape. This consideration is reflected locally at LDP policy TSM1 - Static Caravan and Chalet Sites, that with regard to the extension of existing static caravan sites comments that development proposals will only be permitted where:-

- a. The development will increase the vitality, sustainability and environmental quality of the site;
- b. It will not result in an unacceptable increase in the density of units and/or the overall scale of the site;
- c. It enhances the surrounding landscape and townscape;
- d. It provides (where appropriate) for the significant improvement of the overall quality, appearance and setting of the site.

While objectors have questioned the lack of any financial reasoning or justification for the new development, the applicant has conveyed that further mobile homes are required to ensure that sufficient high standard accommodation is available and that the additional units shall ensure that sustainability of the holiday park as tourism accommodation in the area. The scale of the development of proposed 17 units is said to be only a modest addition to the current provision at the park and of a suitable density.

In considering the density of the proposed development, each new unit is separated from another by the parking space alongside which is a traditional form of layout at caravan parks. The larger of the two areas of the application site also has a sizeable area of open green space centrally within the site.

In examining the landscape impact the presence of 17 new static units on previously undeveloped land shall undoubtedly change the character and appearance of the application site the greater part of which is presently a pleasant grassed field. In the context of openness and visual impact, even though they would be static caravans the implementation of the proposed development shall have the appearance of 17 new buildings where previously there had been none. Although the new units are to be clad in stained timber, the appearance of new mobile homes/caravans shall be clearly distinctive from the cabins or chalets at the holiday park.

The detailed landscaping scheme secured in the application shall on maturity, which it is accepted shall take time, enable an effective long-term solution to deliver landscape policy objectives; result in an enhancement to the SLA; provide screening; and represent an appropriate form of mitigation and enhancement in the context of policy TSM1. While it is acknowledged that the screening effect shall be somewhat limited from outside of the holiday park if indeed visible at all, the proposed planting along the northern boundary of

the open field shall grow to screen the static caravans which may be visible from nearby vantage points.

The existing holiday park is substantial and cannot be considered anything other than as a permanent feature in the rural area. While the landscaping scheme shall result in a degree of screening, it has to be acknowledged that screening cannot obscure all signs of this type of development and the screening itself influences the character of the landscape. The new hedge and woodland planting, comprising of native species, is appropriate to the area and shall provide a natural boundary within the SLA. The scheme has been the subject of thorough scrutiny by the Landscape Officer who offers no objection to the application subject to the imposition of appropriate conditions.

In terms of the overall setting of the application site, even though the larger part of the application site is physically distinct from the existing holiday lodge site, operationally it forms an integral part of the wider Park with the children's play area located within the field.

With regard to the planning policy context, the Forward Planning Manager offers no objection to the application.

### **Biodiversity Impacts**

In terms of the potential biodiversity and ecological impacts of the proposal the determination of the application has been protracted while the LPA sought to secure detail of the proposed means of foul drainage to ensure that there shall be no harmful impact upon the nearby tributary to the river Teifi, a designated Special Area of Conservation only some 500 metres from the application site.

The foul drainage is to be disposed of by means of a new sewage treatment plant that shall discharge the treated effluent into a small lake at the site which shall ensure that nothing enters the nearby watercourse. The lake with supporting phragmite reeds is presently used as the discharge point for treated effluent from the existing holiday park.

As a competent authority under the Conservation of Habitats and Species Regulations 2017 the Council has to consider the impact of the development on the river Teifi. A Test of Likely Significant Effect (TLSE) and Appropriate Assessment has consequently been done with regard to the potential effects of the proposed development, which concluded that there shall be no harmful impact with neither our Ecologist nor NRW who have to consider and sign off the Appropriate Assessment offering any objection to the application subject to the imposition of appropriate conditions.

### **Highway Impacts**

As noted above, in the interests of highway safety the proposed development includes the permanent closure of one of the two vehicular access off the B4332 that presently serve the holiday park.

Furthermore, the Head of Transport requires a financial contribution of £10,000 towards the traffic management/road safety scheme to reduce the 60mph speed limit along the B4332 to 40mph from the holiday park all the way to the village of Cenarth, to form a safer environment for cyclists from the site visiting Cenarth Falls.

Subject to the imposition of conditions to ensure the closure of the access and a legal agreement to secure the provision of the financial contribution, the Head of Transport offers no objection to the application.

## **Employment**

TAN23 places a requirement on local planning authorities to assess the economic benefit when determining planning applications for economic development particularly where a planning authority is considering an application that could cause harm to environmental objectives, the latter of which has been highlighted as a concern by third parties, the TAN proposes an approach where three questions that should be asked:

- Are there alternative sites for the proposal?
- How many direct jobs will result from the proposal?
- And would such a development make a special contribution to policy objectives?

In examining these questions, there is no apparent alternative site for the proposed development; the application indicates that 3 part-time jobs will be created. While the proposed development will not make a specific, special contribution to policy objectives the implementation of the proposal would offer a positive contribution to the rural economy an help sustain an existing holiday facility, with no unacceptable impact upon the local landscape which is consistent with both national and local planning policy.

## **Planning Obligations**

A S.106 Agreement shall be required to provide the financial contribution sought with regard to the reduction of the speed limit along the highway from the holiday park to Cenarth.

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

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

## **Conclusion**

After careful consideration of the application it is concluded, on balance, that having due regard to the concerns of the objectors; the absence of any sustainable objection from any of the statutory consultees; or other material considerations to outweigh the relevant development plan policy considerations, that the proposed change of use of the land for the siting of mobile homes thereon as an extension to the existing holiday park should be granted planning permission subject to the conditions listed below.

## **Recommendation – Approval**



## Conditions

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
  - 1:2500 scale Site Location Plan;
  - 1:200 scale Proposed Site Plan – Extract 1 (SP01);
  - 1:200 scale Proposed Site Plan – Extract 2 (SP02);
  - 1:50 scale Proposed Mobile Home Type 1 Plans (PL01);
  - 1:50 scale Proposed Mobile Home Type 1 Elevations (PL02);
  - 1:50 scale Proposed Mobile Home Type 2 Plans (PL03);
  - 1:50 scale Proposed Mobile Home Type 1 Elevations (PL04);
  - 1:200 scale Proposed Road Sections and Levels (SP03);
  - 1:200 scale Proposed Site sections (SP04);
  - Proposed Site Layout Detail Landscaping Scheme (02B), all received 2<sup>nd</sup> August 2019;
  
  - Preliminary Ecological Appraisal (April 2018) by Just Mammals Consultancy received 25<sup>th</sup> May 2018
  
  - 'Foul Drainage Proposals' statement by Ecological Initiatives received 12th March 2020
  
  - Plan depicting 'Marsh 350 PE Ø 3000 Tank 20:30:20 - 90 DAY N.T.S. 20.11.17 Gravity Outlet – Rev C dated 05/09/18' received 20th February 2020.
- 3 Prior to the commencement of any works associated with the development hereby approved, a Construction Exclusion Zone (CEZ) shall be established to protect all existing vegetation identified for retention. The CEZ shall be defined by a barrier of a specification appropriate to exclude the degree and proximity of all construction phase operations. The barrier shall form a continuous length, aligned as follows: -
  - to the perimeter of root protection areas, defined in accordance with BS5837 of all trees, groups of trees or woodland located within, on, or with a canopy spread which overhangs the site boundary.
  
  - to 1.5m from the edge extent of above ground growth of all shrub masses, hedges and hedgerows located within or on the site boundary.

Any construction operations and access within the CEZ shall be limited to those undertaken in compliance with the recommendations of BS5837. The CEZ shall be enforced throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

Any existing landscape elements, or part thereof, identified for retention, which within five years of the development hereby permitted being brought into first use are

removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the Local Planning Authority, and thereafter likewise conditioned for a further period of five years.

- 4 The approved Detailed Landscape Design Scheme, as defined in the approved drawings shall be fully implemented in the first available planting and seeding seasons following commencement of development.

Any new landscape elements planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design Scheme which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

- 5 Prior to the commencement of development herewith approved the means of existing vehicular access located at E:226132 / N:240675 (the easternmost of the two existing vehicular access off the B4332) shall be permanently stopped up, and the public highway reinstated to the written approval of the Local Planning Authority.

- 6 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 120 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. There shall at no time be any obstruction above 0.9 metres within this splay area.

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

- 8 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. No part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

- 9 Without prior consent from the Sustainable Drainage Approval Body (SAB) no surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

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

- 11 No phase of the development, including site clearance, shall commence until a phase Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
- Storage facilities for all fuels, oils and chemicals.
  - Details on any water features 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.
  - Details on any invasive species on site and how they will be managed.
  - 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.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

- 12 No authorised development shall commence until details of the surface water drainage system (including means of pollution control, management and maintenance) have been submitted to and approved by the local planning authority. The surface water drainage system shall be constructed in accordance with the approved details. No mobile home/caravan hereby approved shall be occupied until the sustainable drainage system for the site has been completed in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

- 13 Prior to the commencement of development on the site, an external lighting scheme shall be submitted for the consideration and written approval of the local planning authority. The scheme shall take into account the mitigation requirements detailed in section 10.4 of the Preliminary Ecological Appraisal by Just Mammals Consultancy dated April 2018. The scheme shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and within ecologically sensitive areas.

The scheme shall include:

- Technical details of all lighting solutions, including their location, type, shape, dimensions and, expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution.
- A plan illustrating illuminance levels across the development site and at the boundary of the site.

- An Environmental Lighting Impact Assessment against conservation requirements for protected species.

Once approved in writing, the lighting scheme shall be implemented and thereafter operated in accordance with the approved details.

- 14 No development, including site clearance shall commence until a pre-construction protected species check has been carried out, the scope of which must be agreed with the Local Planning Authority Ecologist. If the survey confirms the presence protected species, the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.
- 15 The proposed development shall be carried out strictly I accordance with sections 10.2, 10.3, 10.5 and 10.6 of the Preliminary Ecological Appraisal by Just Mammals Consultancy dated April 2018.
- 16 No development shall commence on site until details of the colour of the external finish of the static caravans have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the colour scheme agreed shall be retained for the lifetime of the development.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To define the extent of the permission.
- 3-4 To ensure that the detailed landscaping design scheme required to meet relevant policy objectives is appropriately delivered and maintained.
- 5-9 In the interest of highway safety.
- 10 To the provision of permanent housing would be contrary to national and/or local policies.
- 11 To secure the provision of an appropriate foul drainage strategy.
- 12-15 In the interests of ecology and biodiversity and to secure the conditions and restrictions of the Appropriate Assessment required as part of the consideration of the application
- 16 In the interests of the visual amenity of the locality and to safeguard the Special Landscape Area

## NOTES

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

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

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

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

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).
- 3 The planning permission hereby granted is subject to a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) to provide a financial contribution of £10,000 towards a Traffic Management Scheme to reduce the current speed limit from 60mph (NSL) to 40mph, along the B4332 fronting the site and beyond it.

<b>Application No</b>	<b>W/38620</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED RESIDENTIAL DWELLING WITH INTEGRAL GARAGE (PARTLY RETROSPECTIVE) AT PLOT 4 OPPOSITE BRON YN AUR, CAPEL DEWI, CARMARTHEN, CARMS, SA32 8AD

<b>Applicant(s)</b>	JONES, JONES & JAMES LTD - MIKE JONES, 12 BRYNMEURIG, PENSARN, CARMARTHEN, SA31 3AX
<b>Agent</b>	GETHIN LLOYD JAMES BA (HONS) ARCH. MCIAT, IAGO CYMRU LTD, TROED Y BRYN, LLANARTHNE, CARMARTHEN, SA32 8JE
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Llanddarog
<b>Date of validation</b>	26/03/2019

## Reason for Committee

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

## Site

The application site consists of a partly developed residential plot located in the village of Capel Dewi. The site was formerly part of a narrow field enclosure that flanks the western side of the C2069 and has been developed incrementally on a plot by plot basis. Works have recently commenced on the site with the completion of the concrete base of the proposed new bungalow together with the levelling of the original ground levels and erection of boundary walling and fencing along parts of the side and rear boundaries.

The site's road frontage consists of an established hedgerow that also extends to the front of the neighbouring plot to the south (plot no. 5) which has also been the subject of clearance and levelling work in readiness for its residential development. The applicant has submitted a separate planning application for the construction of a bungalow on this neighbouring plot which is also presented to Committee for determination under application reference W/39018.

A new detached bungalow has been constructed on the plot immediately to the north of the site while further bungalows are under construction on land further to the south. The eastern side of the roadway, opposite the site, is characterised by modern detached bungalows that are set back from the road in large curtilages.

## Proposal

The application seeks full planning permission for the construction of a detached bungalow together with associated external works. The bungalow is to be sited at a comparable depth in the plot to the neighbouring bungalow to the north and will have a hipped roof design. It will provide three bedroom accommodation with its front elevation being characterised by an integral garage and central gable entrance feature. The rear elevation also consists of a small gable projection. Externally, it is to have a natural slate roof and a mix of rendered and facing brick elevations.

The bungalow will be constructed on the existing levelled surface being set at a higher level than the adjacent bungalow and separated by a retaining wall with fencing above. Parking and turning facilities are provided in the front curtilage and a generous amenity area to the rear. The front of the plot will consist of a low facing brick wall that will be set back 2 metres from the edge of the existing roadway to allow for the future provision of a footway to the front of the new property.

It is of note that the design of the bungalow proposed on the neighbouring plot, plot 5, under planning application W/39018 is the same as that proposed under this application.

With regard to drainage, the applicant has submitted details of the surface water drainage scheme that will serve the proposed new bungalow as well as that proposed on the neighbouring plot, plot 5, to the Authority's Sustainable Drainage Approval Body (SAB) for approval. Surface water from the development is to be attenuated in a stone layer located below the front driveway which will consist of permeable paving before discharging into an existing surface water drain that runs contiguous with the front of the site and neighbouring developments to the north and south. An element of surface water from the property will also be disposed of via rainwater butts within the property. The scheme was approved by the Authority's SAB team on 21 May 2020.

Turning to foul drainage, the area wherein the site is located is not served by a public sewer. The development will therefore be served by a private package treatment plant that will treat the foul water from the bungalow before discharging into the same surface water drain to the front of the site.

## Planning Site History

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

D4/17948	Siting of two residential dwelling houses Outline planning permission	7 July 1989
D4/905	Siting of residential development (5 dwellings) – Outline planning permission refused	17 October 1974

## Planning Policy

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

SP1 Sustainable Places and Spaces  
SP5 Housing  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
H2 Housing within Development Limits  
AH1 Affordable Housing  
TR3 Highways in Developments – Design Considerations.  
EP3 Sustainable Drainage  
EP2 Pollution

## Summary of Consultation Responses

**Head of Transport** – Has raised no objection.

**Llanarthne Community Council** – Have not commented on the application to date.

**Local Member** – County Councillor A Davies has not commented on the application to date.

**Dwr Cymru/Welsh Water** – Has raised no objection.

**Natural Resources Wales** – Has raised no objection.

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

## Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice within the vicinity of the site. Subsequent amendments to the development as part of the application process have required a further re-consultation exercise whereby a further site notice was posted.

In response, one letter of representation has been received on behalf of a number of neighbouring residents who object to the development and raise the following issues of concern:

- Several neighbouring properties have previously experienced flooding and further development will increase the risk of surface water flooding.
- Concerns regarding the capacity of the existing land drain crossing the front of the site to accommodate the additional surface water flows and discharges from new foul water treatment plants.

## Appraisal



Whilst neighbouring residents have raised concerns regarding the impact of the development in terms of surface water flooding, the applicant has since submitted details of the surface water scheme proposed to serve the development to the Authority's SAB team for approval under their separate consenting regime. The scheme will attenuate surface water flows within the plot prior to its discharge to the existing surface water drain at a greenfield run off rate and has been accepted by the SAB team as an acceptable form of sustainable drainage that will dispose of surface water in a controlled manner. It will ensure there will be no detriment to the living conditions of neighbouring residents by way of surface water flooding.

As to the concerns relating to foul drainage, the use of the private treatment plant is considered to be acceptable given that the site is not served by a public sewer. Moreover, its installation and the discharge of the treated water into the surface water drain will require building regulation approval as well as an environmental permit from Natural Resources Wales.

The proposal is therefore in accord with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner.

## **Planning Obligations**

The applicant has submitted a unilateral undertaking in support of the application that will secure an affordable housing contribution in accordance with requirements of Policy AH1 of the LDP.

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

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

## **Conclusion**

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy. The site represents an infill opportunity within the development limits of Capel Dewi and the scale and design of the new dwelling reflect those of neighbouring dwellings and will complement the general character and appearance of the surrounding area.

Whilst concerns have been raised by neighbouring residents regarding the flooding impact of the proposal, the applicant has addressed these with the submission of a sustainable drainage scheme that has been accepted and approved by the Authority's SAB team.

The new dwelling will be well related to and within easy access of existing public transport facilities within the village, while also making a positive contribution towards the provision

of affordable housing in the locality with the payment of a commuted payment towards the same as part of the development.

Furthermore, there are no amenity, highway or public service objections to the development.

Based on the foregoing, the application is put forward with a favourable recommendation.

## **Recommendation – Approval**

### **Conditions**

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a partly retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 26 March 2019.
- 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 block plan (PA/02) received on 24 June 2020;
  - Site Section (PA04) received on 24 June 2020;
  - Floor plans and elevations (01) received on 3 December 2019.
- 3 The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Council's (Highways and Transport Services) Typical Layout No. 2 specification, and shall be retained, unobstructed, in this form in perpetuity.
- 4 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary and shall open inwards into the site only.
- 5 Prior to any use of the accesses by vehicular traffic, a visibility splay of 2.4 metres x 43 shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. In particular, there shall at no time be any obstruction above 0.9 metres within this splay area.
- 6 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 7 The parking spaces and layout shown on the plans hereby shall be provided in accordance with the detail shown prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 8 The access to the development hereby approved shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the highway

boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

- 9 The development shall be related to a Highway Improvement Line set back 2.0 metres from the existing nearer edge of carriageway. Any permanent structures such as forecourt walls, etc should be erected on or behind the Improvement Line.
- 10 Within three months of the date of this planning permission, details of the materials to be used in the construction of the external surfaces of the dwelling hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 11 Within three months of the date of this planning permission, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected as part of the development shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwelling is occupied.

## **Reasons**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3-9 In the interests of highway and pedestrian safety (Policies GP1 & TR3).
- 10-11 In the interests of the visual amenity of the surrounding area (Policy GP1).

## **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)).
- 3 The applicant is advised that this planning permission is subject to a Unilateral Undertaking requiring the payment of a financial contribution of £12,785.85 towards the provision of affordable housing.

<b>Application No</b>	<b>W/39018</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED RESIDENTIAL BUNGALOW WITH INTEGRAL GARAGE (PARTLY RETROSPECTIVE) AT PLOT 5, LAND OPPOSITE Y DDRAIG FACH, CAPEL DEWI, CARMARTHEN, SA32 8AD

<b>Applicant(s)</b>	JONES, JONES & JAMES LTD - MIKE JONES, 12 BRYNMEURIG, PENSARN, CARMARTHEN, SA31 3AX
<b>Agent</b>	GETHIN LLOYD JAMES BA (HONS) ARCH. MCIAT, IAGO CYMRU LTD, TROED Y BRYN, LLANARTHNE, CARMARTHEN, SA32 8JE
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Llanddarog
<b>Date of validation</b>	19/06/2019

## Reason for Committee

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

## Site

The application site consists of a partly developed residential plot located in the village of Capel Dewi. The site was formerly part of a narrow field enclosure that flanks the western side of the C2069 and has been developed incrementally on a plot by plot basis. Works have recently commenced on the site with the creation of a levelled area in readiness for the construction of a dwelling together with the erection of boundary walling and fencing along one side boundary.

The site's road frontage consists of an established hedgerow that also extends to the front of the neighbouring plot to the north (plot no. 4) whereon works have commenced on the construction of the base of a detached bungalow. The applicant has submitted a separate planning application in respect of the development of this neighbouring plot which is also presented to Committee for determination under application reference W/38620.

A new detached bungalow has recently been completed on the plot immediately to the south of the site while further bungalows are also currently under construction on land beyond this. The eastern side of the roadway, opposite the site, is characterised by modern detached bungalows that are set back from the road in large curtilages.

## Proposal

The application seeks full planning permission for the construction of a detached bungalow together with associated external works. The bungalow is to be sited at a comparable depth in the plot to the neighbouring bungalow to the south and will have a hipped roof design. It will provide three bedroom accommodation with its front elevation being characterised by an integral garage and central gable entrance feature. The rear elevation also consists of a small gable projection. Externally, it is to have a natural slate roof and a mix of rendered and facing brick elevations.

The bungalow will be constructed on the existing levelled surface being set at a lower level than the adjacent bungalow and separated by a retaining wall with fencing above. Parking and turning facilities are provided in the front curtilage and a generous amenity area to the rear. The front of the plot will consist of a low facing brick wall that be set back 2 metres from the edge of the existing roadway to allow for the future provision of a footway to the front of the new property.

It is of note that the design of the bungalow proposed on the neighbouring plot, plot 4, under planning application W/38620 is the same as that proposed under this application.

With regard to drainage, the applicant has submitted details of the surface water drainage scheme that will serve the proposed new bungalow as well as that proposed on the neighbouring plot, plot 4, to the Authority's Sustainable Drainage Approval Body (SAB) for approval. Surface water from the development is to be attenuated in a stone layer located below the front driveway which will consist of permeable paving before discharging into an existing surface water drain that runs contiguous with the front of the site and neighbouring developments to the north and south. An element of surface water from the property will also be disposed of via rainwater butts within the property. The scheme was approved by the Authority's SAB team on 21 May 2020.

Turning to foul drainage, the area wherein the site is located is not served by a public sewer. The development will therefore be served by a private package treatment plant that will treat the foul water from the bungalow before discharging into the same surface water drain to the front of the site.

## Planning Site History

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

D4/17948	Siting of two residential dwelling houses Outline planning permission	7 July 1989
D4/905	Siting of residential development (5 dwellings) – Outline planning permission refused	17 October 1974

## Planning Policy

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

SP1 Sustainable Places and Spaces  
SP5 Housing  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
H2 Housing within Development Limits  
AH1 Affordable Housing  
TR3 Highways in Developments – Design Considerations.  
EP3 Sustainable Drainage  
EP2 Pollution

## Summary of Consultation Responses

**Llanarthne Community Council** – Have not commented on the application to date.

**Local Member** – County Councillor A Davies has not commented on the application to date.

**Head of Transport** – Has raised no objection.

**Dwr Cymru/Welsh Water** – Has raised no objection.

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

## Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice within the vicinity of the site. Subsequent amendments to the development as part of the application process have required a further re-consultation exercise whereby a further site notice was posted.

In response, one letter of representation has been received on behalf of a number of neighbouring residents who object to the development and raise the following issues of concern :

- Several neighbouring properties have previously experienced flooding and further development will increase the risk of surface water flooding.
- Concerns regarding the capacity of the existing land drain crossing the front of the site to accommodate the additional surface water flows and discharges from new foul water treatment plants.

## Appraisal

Whilst neighbouring residents have raised concerns regarding the impact of the development in terms of surface water flooding, the applicant has since submitted details of the surface water scheme proposed to serve the development to the Authority's SAB

team for approval under their separate consenting regime. The scheme will attenuate surface water flows within the plot prior to its discharge to the existing surface water drain at a greenfield run off rate and has been accepted by the SAB team as an acceptable form of sustainable drainage that will dispose of surface water in a controlled manner. It will ensure there will be no detriment to the living conditions of neighbouring residents by way of surface water flooding.

As to the concerns relating to foul drainage, the use of the private treatment plant is considered to be acceptable given that the site is not served by a public sewer. Moreover, its installation and the discharge of the treated water into the surface water drain will require building regulation approval as well as an environmental permit from Natural Resources Wales.

The proposal is therefore in accord with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner.

## **Planning Obligations**

The applicant has submitted a unilateral undertaking in support of the application that will secure an affordable housing contribution in accordance with requirements of Policy AH1 of the LDP.

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

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

## **Conclusion**

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy. The site represents an infill opportunity within the development limits of Capel Dewi and the scale and design of the new dwelling reflect those of neighbouring dwellings and will complement the general character and appearance of the surrounding area.

Whilst concerns have been raised by neighbouring residents regarding the flooding impact of the proposal, the applicant has addressed these with the submission of a sustainable drainage scheme that has been accepted and approved by the Authority's SAB team.

The new dwelling will be well related to and within easy access of existing public transport facilities within the village, while also making a positive contribution towards the provision of affordable housing in the locality with the payment of a commuted payment towards the same as part of the development.



Furthermore, there are no amenity, highway or public service objections to the development.

Based on the foregoing, the application is put forward with a favourable recommendation.

## **RECOMMENDATION – APPROVAL**

### **Conditions and Reasons**

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a partly retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 19 June 2019.
- 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 block plan (PA/03B)
  - Site Section (PA/04)
  - Proposed floor plans and elevations (PA/01)  
received on 24 June 2020.
- 3 The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 3 (specification for which is attached to this planning permission), and shall be retained, unobstructed, in this form in perpetuity.
- 4 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.
- 5 Prior to any use of the accesses by vehicular traffic, a visibility splay of 2.4 metres x 43 shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. In particular, there shall at no time be any obstruction above 0.9 metres within this splay area.
- 6 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 7 The parking spaces and layout shown on the plans hereby shall be provided in accordance with the detail shown prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 8 The access to the development hereby approved shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

- 9 The development shall be related to a Highway Improvement Line set back 2.0 metres from the existing nearer edge of carriageway. Any permanent structures such as forecourt walls, etc should be erected on or behind the Improvement Line.
- 10 Within three months of the date of this planning permission, details of the materials to be used in the construction of the external surfaces of the dwelling hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 11 Within three months of the date of this planning permission, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected as part of the development shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwelling is occupied.

## **Reasons**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3-9 In the interests of highway and pedestrian safety (Policies GP1 & TR3).
- 10-11 In the interests of the visual amenity of the surrounding area (Policy GP1).

## **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)).
- 3 The applicant is advised that this planning permission is subject to a Unilateral Undertaking requiring the payment of a financial contribution of £12,785.85 towards the provision of affordable housing.

<b>Application No</b>	<b>W/39346</b>
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<b>Application Type</b>	FULL
<b>Proposal &amp; Location</b>	ONE PLANET DEVELOPMENT AND CHANGE OF USE FROM FORESTRY TO RESIDENTIAL AND FORESTRY AT FLATWOOD, NEWCASTLE EMLYN, SA38 9RB

<b>Applicant(s)</b>	Mr Oliver Weight
<b>Agent</b>	-
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Cenarth
<b>Date registered</b>	23 August 2019

## Reason for Committee

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

## Site

The application site comprises a woodland area approximately 500m to the south east of the centre of the village of Cenarth. Whilst the site borders the main A48 along its northern boundary, access to this section of the woodland is gained via an existing access point from an unclassified highway to the south. The application site forms part of the north western end of a wider woodland area that extends towards the south east. Whilst at the time of the Officer's site visit there is no clear boundary feature delineating between the application site and wider woodland area, it is understood that the wider woodland is separately owned. Towards the north eastern end of the application site lies two residential properties known as 1 & 2 Flatwood which both front onto the A48 albeit their gardens extend towards the wider woodland area. These properties again are in separate ownership.

An existing track meanders through the undulating application site area which is currently characterised by the surrounding woodland and a network of small watercourses. The woodland mainly comprises Oak, Ash, Willow, Alder and Spruce. The site is not designated as an SSSI but is identified as forming part of an Ancient Semi-Natural Woodland.

## Proposal

The proposal relates to a One Planet Development that is centered around the applicant's experience of woodland management and skills to create wood products including Windsor or Welsh stick chairs, stools, yurts, beds, timber framed buildings and including charcoal and firewood, all derived from the woodland itself. The proposals include various structures including:

- Feed store (for hay in relation to the working horses and other foodstuffs)
- Sawmill shelter
- Polytunnel
- Barn/Workshop (multifunctional space for timber framing, timber processing, running courses, fine woodworking and stores for sawn timber)
- Livestock shed
- Forge/Metalshop, Root Cellar and Pottery
- Dwelling

It is intended that an existing shipping container will be used as temporary accommodation for the family to enable them to reside on the property whilst they erect the dwelling.

The application is supported by a detailed management plan as is a requirement for One Planet Development application that details the applicant's experience, proposals and how the development meets with the requirements of the Welsh Government One Planet Development Policy. The following provides a summary of the main elements of the management plan.

### *Land Based Activity*

The submitted documentation specifies that within 5 years, 76% of the applicant and his family's basic food needs will be met from food produced directly from the land (53%) and food purchased using income generated from the land based activity (23%). Food produced directly from the land will derive from livestock (to include 2 pigs, 2 goats, 6 geese, chickens, ducks and sheep) and via the creation of a vegetable plot and polytunnel as soon as practicable once coppicing can take place to enable light to penetrate into the woodland.

In relation to the land based business initiatives proposed, the applicant already has a business, Weight-London Woodcraft that produces a variety of products, working mainly to commission including chairs, beds, timber framed buildings, yurts and shepherds huts, doors and window frames, hand dovetail drawers and housework, bowls, stools, greenwood furniture, firewood and charcoal. In addition, educational services are also offered including green woodwork courses, tree felling and woodland work, carpentry and joinery, timber frame building design. It is intended that the products and services on offer would extend further should planning permission be granted as is detailed in the submitted management plan.

The management plan sets out the anticipated income derived from these activities suggesting a total annual income of £25,268.16 by Year Five, which exceeds meeting the minimum household needs which is calculated as £5,990.44 at year five which includes expenditure clothing and footwear, IT/Communications, Travel, Council Tax and off-site food purchases. The management plan indicates that no additional labour is considered

likely with a detailed breakdown of anticipated hours taken for key labour based activities split between the applicant and his wife. There is however the potential option for an apprentice to join the family.

### *Land Management*

The application is centred around woodland management with the land based activity being effectively a by product of that management but also supports improvements to the overall ecological value of the site. Management of the woodland in a sustainable manner is proposed with thinning enabling light to penetrate the woodland floor to provide opportunities for re-growth whilst avoiding use of heavy machinery and relying upon working horses. The site has been effectively split into 7 different sections where different woodland management activities will take place as follows:

Compartments 1 – 5 – short rotation coppice – regular cuts producing a five- year rotation and a regular crop of useful material and a return to more traditional forms of woodland management favoured by wildlife trust woodlands.

Compartment 6 – High forest – thinned over time in line with NRW felling licence (already obtained) and Continuous Cover Forestry practice, restocking through natural regeneration and some replanting from trees propagated on site from seed/cuttings – likely to favour Oak.

Compartment 7 – High Forest/Wood Pasture – as above, but initially with greater felling to enable light penetration of woodland floor growth to support livestock grazing

The above proposals will be mindful of prevalent diseases such as Ash dieback.

The application is supported by an ecological survey that concludes that the proposal would represent opportunities to enhance existing biodiversity and the intended activities would not have a negative impact upon the nearby Afon Teifi Special Area of Conservation. The application has also been subject to supplemental information regarding protected species which conclude that the development has low potential to affect dormice populations.

### *Energy and Water*

The applicant's existing solar system would be used to generate electricity and during the course of the development be duly upgraded with additional panels and storage to meet the electricity demands. Whilst some non-renewable sources will be required to operate chainsaws and the mill, mainly during the construction of the buildings. The applicant considers that the use of this is offset by the fact that no vehicle journeys would be required to transport the wood as it would be derived from the woodland. The majority of the products created are by hand only. Firewood and charcoal produced from the site will be the main fuel source for heating, whilst the dwelling has been designed to maximise solar gain.

Domestic water needs will be met via on-site watercourses and rainwater harvesting. Drinking water will also be met either via on-site watercourses or spring water from the nearby village. No abstraction from groundwater sources is proposed.

## *Waste*

The management plan explains that all domestic food waste would be used for compost. Grey water would be passed through a wetland system, that would be sealed to prevent any contaminants permeating into the groundwater system. Human waste would be composted in a dry compost toilet, duly stored for two years and then used to mulch fruit trees and bushes in the orchard and forest garden. Green waste from growing food and timber would be composted on site with livestock manure used to improve and fertilize the soil. The applicants indicate that they are already minimising packaging and paper waste which will be even greater being self-sufficient, although it is recognised that where items cannot be used on site (e.g. batteries, old oil) waste will be disposed of appropriately at a Council waste recycling plant

## *Zero Carbon Buildings*

All buildings are proposed to be zero carbon both in construction and use, through use of on-site materials, local stone for footings, straw/hemp/cob or natural fibre board for insulation, lime and/or clay render/timber cladding and slate roof. Full details of the construction process is set out in the management plan. All of the buildings are capable of being removed/recycled in the event of failure of the venture with limited environmental impacts.

## *Community Impact*

The applicants are already living nearby in a rented property in Boncath and their daughter attends local education facilities in Cenarth. The applicant's wife is employed part time at a local agricultural college for students with special needs and frequently liaises with the local farming community. The applicant has already been working locally on restoration projects. The applicant is keen to involve the local community in their development through active participation in local events, discounted invitations to courses for local residents, open days, maintaining and sustaining local traditional crafts, shopping locally, using local craftsmen and contractors when necessary, their child is intended to attend the local primary school. Further details are included in the management plan.

## *Transport Assessment & Travel Plan*

The application site is within easy walking distance of Cenarth and as such all normally daily trips are to be on foot, horse or bike (school, food, socialising). Whilst the applicant's wife will continue to work at the agricultural college and thus commuting trips will incur, these are intended to reduce as the development progresses and she becomes more involved in the land based activities. The applicant will utilise their working horses for both management and local trips. Due to the nature of the land based activity minimal trips will be required out of the site with deliveries or collection of items being occasional rather than frequent due to their production times.

Those attending courses will be encouraged to use sustainable forms of transport and will be encouraged to stay locally to avoid car trips.

## *Ecological Footprint Assessment*

The submitted EFA indicates that the applicant's current footprint is 3.67 global hectares per capita, with this falling to 2.69 global hectares per capita upon first habitation and

falling to 1.94 global hectares per capita after five years which would meet the target set out in TAN6 (2.4 global hectares per capita by year five with an overall target of achieving 1.88gHA/capita).

### *Phasing, Monitoring and Exit Strategy*

A phasing programme is included within the management plan. The phasing programme is outdated due to delays in the planning application process and the originally anticipated start date but, in the event planning permission is granted the equivalent timescales can be applied.

A commitment to provide an annual monitoring report is set out in the management plan that will be submitted to the Local Planning Authority to ensure that the development continues to meet with the strict guidelines set out in TAN6.

The management plan also includes an Exit Strategy as is required should the venture fail. This includes the removal of all structures or should it fail once permanent buildings are erected that options for someone else to take the site on as a One Planet Development are explored.

In addition to the management plan, the application is accompanied by a copy of the NRW's felling licence, obtained by the applicants for the woodland, that remains extant until February 2024.

## **Planning Site History**

W/40600 Proposed Shed for Working Forestry Horses at Flatwood, Newcastle Emlyn, SA38 9RB Forestry Prior Notification – Prior Approval Not Required

The above application was submitted after the submission of the application now before Members and replaced the horse shelter originally proposed within this application. The above application was assessed independently from this application under the Forestry Prior Notification Procedures and it was considered at that time that there was sufficient justification to warrant a building to house horses being used for the woodland's management.

## **Planning Policy**

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

Policy GP1 (Sustainability and High Quality Design)

Policy TR2 (Location of Development – Transport Considerations)

Policy TR3 (Highways in Development – Design Consideration)

Policy EQ1 (Protection of Buildings, Landscapes and Features of Historic Importance)

Policy EQ4 (Biodiversity)

[Carmarthenshire Supplementary Planning Guidance](#)

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



Welsh Government, specifically Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities.

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

## Summary of Consultation Responses

**Head of Transportation & Highways** – have raised no objections in principle given the nature of the use although improvements to the visibility splays at the existing access will be required.

**Cenarth Community Council** – Object to the development on grounds that it appears that the wider woodland within which this application is located is being developed as a small settlement. Concerns raised about unauthorised development and other activities.

**Local Member(s)** - Councillor Hazel Evans has objected to the application on grounds that the proposal involves a number of buildings and there does not appear to be a need for them without having a detrimental effect on the ecology of the forest. In Cllr Evans' opinion, there is not enough forest to sustain the number of buildings and raises concerns on how the proposal fits within the One Planet Development policy. Cllr Evans also raises concerns about the Habitat Survey and the effect of the development on the dense woodland which she regards as having special scientific interest. Cllr Evans requests that the application be determined by the Planning Committee.

**Natural Resources Wales** – has raised various concerns over the course of the application regarding the impact of the development on the favourable conservation status of protected species, namely dormice, the need to ensure that the development would not have a significant effect on the River Teifi Special Area of Conservation, the need for a Construction Environmental Management Plan and foul drainage proposals. Through the course of the application, the applicant has sought to address the concerns raised, especially those relating to dormice and as a result, NRW has now confirmed that they raise no objections to the application subject to the imposition of various conditions to secure mitigation measures.

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

## Summary of Public Representations

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

7 representations were received in total, 3 objecting and 4 in support. The matters raised are summarised as follows:

### Objections

- Increased risk of flooding to property due to felling of trees
- No information to state how surface water run-off is to be treated
- Lack of information relating to solid waste disposal

- Woodland is rich with wildlife that will be disturbed and/or lost as a result of this development
- No communication of proposals by the applicant with neighbours
- Impact upon the local highway network, including noise and inconvenience for users of the highway
- Loss of the woodland would decimate the existing country appearance opening up views from the countryside to the county highway
- Unsustainable land to rear livestock
- No input to the local community
- Destruction of broadleaf wood and habitat
- Insufficient woodland to sustain business and livestock management.

## Support

- One Planet Developments are required to demonstrate increased biodiversity of the land, which this application will achieve and therefore objections on loss of biodiversity are unfounded
- One Planet Developments are not a free for all application, but rather places significant burdens on the applicant for ongoing assessment of their impact on the land which they must demonstrate through an annual monitoring report. The applicant has sought to ensure that they comply with the policy and have a commitment to ensure that they continue to meet the stringent tests and are aware that if they do not, they stand to lose the home and livelihood
- Application should be considered on its own merits based upon the One Planet Development policy.
- Proposal represents opportunity for the woodland to be properly and sustainably and traditionally managed
- Welcome addition to rural enterprise
- The development and wildlife can exist side by side.

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

## Appraisal

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

The proposal falls to be considered under national policy on One Planet Development in the countryside that is contained in Planning Policy Wales Edition 10 (PPW) and Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities. Practice Guidance for One Planet Development (OPD) issued in October 2012 provides practical guidance in support of TAN 6. Whilst the Welsh Government supports the principle of low impact development it also places an emphasis on the need to ensure that it is properly controlled.

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

- have a light touch in the environment - positively enhancing the environment where ever possible through activities on site.
- be land based - the development must provide the minimum needs of residents in terms of food, income, energy and waste assimilation in no more than five years.
- have a low ecological footprint - the development must have an initial ecological footprint of 2.4 global hectares per person or less with a clear potential to move to 1.88 global hectares per person over time - these are the ecological footprint benchmarked for OPDs over time.
- have very low carbon buildings in both construction and use.
- be defined and controlled by a binding management plan which is reviewed and updated every five years.
- be bound by a clear statement that the development will be the sole residence for the proposed occupants.

(para 1.9 One Planet Development Practice Guidance)

TAN6 requires proposals for OPD in the open countryside to quantify how the inhabitants' requirements in terms of income, food, energy, and waste assimilation can be obtained directly from site. The land use activities proposed must be capable of supporting the needs of the occupants, even on a low level or subsistence basis, within a reasonable period (no more than 5 years). This should be evidenced by a management plan produced by a competent person(s). The management plan should set out the objectives of the proposal, the timetable for the development of the site and the timescale for review. It should be used as the basis of a legal agreement relating to the occupation of the site, should planning permission be granted. The content of the Management Plan will be assessed against the OPD guidance below.

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

#### Compliance with TAN6

The application is supported by all of the relevant documentation as required by TAN6 in support of One Planet Developments. The submitted Management Plan is the fundamental document that explains how the proposal complies with all of the various stringent tests set out in the TAN. These are assessed further below.

#### Land Based Activity

The land based activity element of the management plan centres on justifying the need to live on site and how the site will sustain occupants' minimum food needs and how income will be derived from the land, within the first five years of first habitation on the site. This is the basis of the need to live on site and the reason why the site should be the sole residence of occupants.

*Food production* – The Practice Guidance states that OPD should be expected to be able to produce at least 65% of basic food needs on the site or a minimum of 30% on the site

with the further 35% being purchased or bartered using the income or surplus produce from other produce grown or reared on the site.

The information provided in the management plan acknowledges that within the first few years the majority of the food needs derived from the site would be from livestock although it is intended that once the initial area is coppiced that food production via a vegetable plot and polytunnel will commence. Nevertheless, the applicant remains realistically cautious about food production due to the nature of the site being within a woodland and accepts that by year 5, 53% of their food needs will be grown from the site with up to 23% of their food needs being met using income from their land based activity. Whilst there are some reservations about the ability of the site to produce 53% of food needs, it is considered that this is a realistic target having regard to the applicant's statements within the management plan.

As such based on the information provided it is considered that there is a realistic prospect that the site could grow/rear or purchase using income derived from other produce grown and rear on the site, at least 65% of their food needs by Year 5.

*Income* - The guidance recognises that even if a site is able to support the majority of the occupants' basic food needs, it is expected that monetary income will need to be generated to enable the purchase of other basic needs, such as clothes, travel, IT/communications and Council Tax and the remaining food needs which cannot be grown or reared on the site or gained through bartering.

OPD's must earn their occupants sufficient income to meet their minimum income needs through sales of produce from the site (which may involve processing and adding value). It may also include other income streams derived from the productive and regenerative capacity of the site, such as from training and education courses, or consultancy directly linked to land based activities on the site. The guidance stresses that these latter activities should be clearly subsidiary to the primary activity of growing and rearing produce.

The management plan sets out that the income proposed to be derived from land based activities could meet the applicants' minimum needs. It is evident from the information submitted with the application that the applicant has vast experience of producing a varied range of wood products with different markets and income yields and there are prospects of further widening the services/ and crafts on offer as the site develops and the applicant's wife becomes more involved. It is considered based on the applicant's experience that there is reasonable prospect of the income quoted being created. However, there are concerns that the applicant is heavily reliant upon himself with limited contingency plans in the event of unforeseen circumstances. However, this is the case for any small self-employed business and as such, this would be a matter for monitoring during the course of the first 5 years, as acknowledged in the exit strategy. The monitoring process would ensure that the OPD targets in terms of food and income are being met and thus that the development is properly controlled.

*Occupants* – The intention of land based OPDs are to support the minimum food and income needs of the occupants. This is the main reason that justifies in planning terms, such developments. Therefore it is of critical importance that the number of occupants is directly related to the ability of the site to support them and the number of people to run the site effectively.

The Management Plan explains that the applicant and his family would reside at the site as their sole residence, following leaving their current rented accommodation in Boncath. As stated above, the information provided within the management plan in respect of food production and income is sufficiently detailed to conclude that, on balance, there is a realistic prospect of the site and proposed development being able to provide for the basic needs of the intended occupants.

In terms of labour requirements, the applicant will be heavily involved with his wife undertaking increasing labour requirements as the project continues. There is concern that the project appears to be highly reliant upon the applicant with limited contingencies in the event of unforeseen circumstances as referred to above. It is acknowledged that the applicant states he has previously trained apprentices and that this could be an option in this circumstance. The Management plan stipulates that such a post would likely be voluntary with possible financial remuneration via charitable bodies or trusts. However, this is not currently proposed and should this be necessary, adjustments would be done via the monitoring report and any required consents sought.

Land Management – Paragraph 3.37 of the Practice Guidance states that One Planet Development in the open countryside should have the objective of conserving, managing, and wherever possible, enhancing environmental quality. OPD's should conserve and enhance the site's biodiversity, cultural heritage and landscape. This may include improving soil organic matter, creation of ponds and increasing populations of pollinating insects and natural predators to pests and diseases.

The development is centred around management of the woodland in a more traditional and sustainable manner that seeks to enhance the site's biodiversity whilst also providing for the applicant's needs as required. The applicant has set out his experience of managing woodland elsewhere for a sustained period of time and thus has gained knowledge and experience sufficient to undertake the same at the site. Whilst it is accepted that the development will change the appearance of the woodland, particularly from the minor road to the south due to the short term rotation coppicing of the woodland that will open views into the site, the overall appearance of the area would remain to be primarily dominated by woodland with views of the structures from the south. The woodland area bordering along the main road will be largely managed to maintain coverage through traditional forms of felling as covered by NRW's felling licence. The form of woodland management proposed is considered to be far less damaging than more modern commercial woodland activities. The site is classed as an Ancient Semi-Natural Woodland and therefore consideration must be given to the impact of the development on this status. However, as referred to above, the proposal seeks to adopt a traditional approach to the management of the woodland and whilst there will be activity in the form of the construction of the various structures these are centered around an existing clearance area within the woodland at present. The views of NRW have been sought on the application, and they have raised no objection to the development and in any event, NRW have issued a felling licence that remains extant until February 2024.

In terms of impacts upon ecological interests and biodiversity, the applicant has sought to address the issues through the submission of an ecological report as required by TAN6. Whilst initial concerns were raised by NRW in relation to the impact of the development on Dormice, this has since been addressed through supplementary information to the extent that NRW no longer object to the development provided that the development is undertaken in accordance with the recommendations included in the submitted reports.

NRW have raised no other objections to the development in terms of its impact upon protected species. The submitted ecological report concludes that there was no evidence of badger activity on the site surveyed with many areas being considered unsuitable for burrowing activity. Similarly, there was no evidence of otter activity found. The submitted report acknowledges that the felling of trees, albeit granted under a licence could impact upon bats. The ecological report includes various recommendations to increase bat roost provision within the site.

The development is within 400m of the Afon Teifi Special Area of Conservation and whilst a TLSE has been completed, this concludes that as the development relies upon mitigation measures to avoid impacts an Appropriate Assessment of the development will be required to be undertaken by the Council prior to issuing planning permission as such, any positive recommendation will be subject to the conclusion of an Appropriate Assessment for the development.

Energy and Water - Paragraph 3.53 of the Practice Guidance acknowledges that energy and water are both resources which development consumes, and so create environmental impact. It is an essential characteristic of OPD that the use of these resources is minimised and re-used wherever possible and that the energy needs of inhabitants come from the site. The guidance indicates that this should also be the case for water, unless a more environmentally sustainable alternative can be demonstrated.

In terms of energy consumption the Management Plan states that the applicants' intend to meet their energy needs from the site, predominantly by generating electricity through the use of a solar photovoltaic array and fuel for cooking and water from the woodland itself.

Paragraph 3.62 of the Practice Guidance states that "*all the water needs of all activities should be met from water available on site, unless there is a more environmentally sustainable alternative*". The site is crossed by watercourses and it is anticipated that non-domestic water will be via these watercourses, as well as drinking water subject to the watercourse being duly tested. Nevertheless, the applicant comments that they currently utilise drinking water from the spring in the village and there is the potential to connect to the mains water supply that runs through the site.

The management plan therefore predicts that water needs can be adequately catered for on site. This will need to be reported in the annual monitoring.

Waste Assimilation – Waste produced by both domestic and other activities on site is likely to include, domestic food waste, grey water, human waste, packaging and paper, green waste from growing food and timber and livestock manures.

The practice guidance provides essential criteria for the assessment of waste on site. These states:

- All biodegradable waste on site is assimilated on site in environmentally sustainable ways;
- The only exception to this is the occasional off-site disposal of small non-biodegradable amounts of waste which cannot be assimilated on site which arise from things used on site wearing out or breaking irreparably;

- All waste handling and assimilation on site must comply with Environment Agency guidelines (paragraph 3.75).

As detailed above, the applicants have set out how they intend on disposing waste to the extent that it is considered to meet the requirements of the practice guidance.

### **Zero Carbon Buildings**

Para 3.105 of OPD Practice Guidance lists the essential criteria in respect of the environmental performance of proposed buildings:

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

The guidance also states that the buildings should make as much use of recycled materials as much as possible.

The structures proposed are all proposed to be constructed from natural or recycled materials, based on the following principles:

- Stone foundation using local stone and traditional lime and earth mortars, keeping concrete to a minimum
- Timber frames and cladding utilising wood from the woodland or other local woodland
- Insulation/thermal mass infill wall; straw, hempcrete, cob or natural fibre board e.g. wood/wool
- Lime and/or clay render
- Welsh Slate Roof (house)
- Metal box profile roof (ancillary buildings)

The information submitted indicates that the dwelling and ancillary buildings will be constructed from onsite and local and natural materials.

The proposals for the proposed dwelling are considered acceptable subject to obtaining Building Regulations Approval the outcome of which can be detailed in future monitoring reports.

The Practice Guidance indicates that for the proposed development to be zero carbon in construction and use, OPD buildings must meet the standards of the Code for Sustainable Homes (CSH) in respect of Category 3 (materials). This category covers five main elements of the building and an OPD home is required to achieve a rating of A+ or A6 for at least four of these elements. However, the guidance also recognises that many aspects of the CSH are not suited to assessing the overall sustainability of an OPD home. Consequently, it advises that where it can be demonstrated that materials without a recognised published rating would have similar attributes to materials this would be

acceptable. A rating assessment of similar materials has been provided in support of the current application which indicates that the materials would meet the required standards. As such, and for the reasons set out above it is considered that on balance the development could be low carbon, both in construction and use.

**Community Impact Assessment** – The essential criteria are that:

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

The Management Plan includes an assessment of positive community impacts and mitigated negative impacts in association with the proposed development.

In terms of positive community impacts, these include involvement in community activities, educational establishments, facilities and services, discount rates for local residents for on-site training courses, open days and courses, maintenance of a permissive right of way, continue with local craft traditions, share skills gained from the development to support more sustainable means of living, learning Welsh and enhancing local biodiversity, culture and the landscape.

Negative community impacts are identified as being potentially the presence of structures within the woodland and traffic generation associated with construction phase for stone deliveries, and people attending courses and open days. In seeking to mitigate these negatives, the applicants explain that they have sought to site their structures in areas which can be screened by vegetation but also on areas that are cleared already. Whilst the presence of structures within the woodland will be evident, and may be more evident at times when the surrounding compartments are felled, it is considered that the overall impact of the development is not so significant to have a detrimental affect on the landscape. The structures would be viewed in the context of the wider woodland within which they would be situated and directly relate to their intended use. In terms of transport effects, the applicant offers discounts for those attending courses via public transport/foot and to locals.

The proposal will result in a change, as with any development, however it is considered that the impact of the development on the wider community has been duly covered by the applicant and complies with the requirements of the policy.

### **Transport Assessment and Travel Plan**

In accordance with the practice guidance, the applicants' have provided the necessary assessment information in the form of a transport baseline, an assessment of movements proposed to and from the site (by car, public transport, horse, foot and cycle) along with a Travel Plan which details how vehicle movements can be minimised in respect of each activity the movement is associated with.

The information provided provides a breakdown of the type and frequency of trips per year upon establishment and occupation of the site and a breakdown of the average distances per trip. Strategies to minimise trip generation include combined/shared journeys, purchase of bulk products, using public transport, horse and cycling when possible.



The application site is within walking distance to Cenarth where there are various facilities, services and the local school. The applicant recognises that there will be a need to use a vehicle for the delivery of products, and these are primarily to be undertaken via their Land Rover running on biodiesel. Furthermore, it is considered that the current trips to the applicant's wife's place of work will diminish as the venture proceeds.

The annual monitoring report is required to detail annual movements to and from the site and look at ways to continually reduce these if the proposals in the Travel Plan are not met.

### **Ecological Footprint Analysis**

PPW requires One Planet Development to initially achieve an ecological footprint of 2.4 global hectares per person or less in terms of consumption and demonstrate clear potential to move towards 1.88 global hectares over time. The submitted EFA indicates the applicant would achieve this target by year 5. The applicants' must provide the actual figures for assessment and scrutiny by the Council in the annual monitoring report. The results will be interpreted using the current practice guidance and OPD Ecological Footprint Calculator.

### **Phasing, Monitoring and Exit Strategy**

The Management Plan contains a phased programme of works along with a monitoring and exit strategy that complies with the requirements of TAN6 as summarised above. It is considered that the proposed phasing of the development appears realistic and will enable the applicants to set up the venture to seek to meet their 5 year objectives. The applicant acknowledges that in the event that the venture may fail for either economic or personal reasons that structures can be removed from the site and recycled with any natural materials left being assimilated into the site where appropriate. The applicant does state that some landscaping features (tracks, ponds, planting, banks) would not be returned to their former state as this may result in adverse biodiversity impacts.

In any event, the progress of the development will be annually monitored. Commitments which have not been reached will have to be evidenced in the annual monitoring report. Critical failures need to be remedied with solutions and of how quickly they can be achieved. The Council will assess the monitoring report criteria outlined in the practice guidance. The applicant sets out their commitment to provide this monitoring report in the management plan.

### **Compliance with ODP Policy**

In summary therefore, the applicant has addressed the main principles of the One Planet Development Policy set by Welsh government, and following an assessment it is considered that there is a reasonable prospect that the applicant will meet all the various objectives of the policy. It will of course be the subject of on-going monitoring to ensure continued compliance however, based on the information submitted, it is considered, on balance that the proposal complies with the policy requirements of TAN6 in relation to One Planet Developments.

## ***Other material planning considerations***

### **Impact upon the character and appearance of the area**

The proposal will introduce built form into the existing woodland and activity associated with the woodland management and associated residential use coupled with a change in the tree coverage. However, in terms of the tree coverage, a felling licence has already been issued for the site by NRW and in any event, planning permission for the felling of trees is not required. In terms of the built form, whilst this will be a change, it is considered that the overall scale, design, siting, coverage by existing vegetation and use of natural materials will assimilate the development into the wider area without having a detrimental impact upon the wider character and appearance of the area. The structures will primarily only be visible from the unclassified highway to the south and would in any event be viewed within the wider context of the woodland and thus complies with policy GP1 of the LDP.

### **Residential Amenity**

There are nearby properties within the vicinity of the site which will experience a change in comparison to the current situation due to increased activity within the woodland. However, given the intended nature of the development, minimising the use of machinery and using horses to aid extraction and that the proposed dwelling and other structures are situated approximately 150m from the nearest existing residential dwelling, the development is not considered to give rise to unacceptable impacts upon living conditions and thus complies with policy GP1 of the LDP.

### **Highway Impacts**

The submitted management plan has gone into some detail about the transport implications of proposal which are not discussed further here. However, in terms of the access provision, the development will utilise an existing access into the woodland from the unclassified highway. No other accesses are proposed. The existing access is substandard with limited visibility and the proposal will result in an increase in use of this access. However, given the nature of the development that is based on a requirement to minimise vehicular movements, it is considered on this occasion that visibility splays associated with the Council's typical layout for agricultural access would be acceptable and are achievable. As such, it is not considered that the proposed development would have unacceptable highway impacts and complies with policy TR3 of the LDP.

### **Flood Risk/Drainage**

The application site is not within a flood risk area, however, concerns raised by local residents regarding the downstream impacts of the development, principally the felling of trees upon drainage are acknowledged. However, it is the case that planning permission is not required for the felling of the trees and this is rather governed by the felling licence which is already in place. Therefore, the only drainage matters that can be considered relates to the physical alterations to the land through the creation of ponds etc and construction of structures. The Authority's drainage team have been consulted on the application and raise no objections to the proposal. However, the application will trigger the need for a Sustainable Drainage Body (SAB) consent which is the subject of separate consideration. The applicant is actively pursuing the SAB consent alongside the application.

### **Third Party representations**

Representations have been received objecting to the proposed development. The concerns raised by objectors have been addressed in the preceding paragraphs of the report.

### **Planning Obligations**

The applicant is aware that should Members be minded to grant planning permission that they will need to enter into a Section 106 agreement to tie the dwelling to the land and include a commitment that the dwelling will be the sole residence of the occupants.

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

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

### **Conclusion**

The proposed development complies with Technical Advice Note 6: Planning for Sustainable Rural Communities (2010) and the accompanying One Planet Development Practice Guidance and policies GP1, TR3, EQ4, EQ5, of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the proposal is supported by sufficient information to demonstrate that there is a strong prospect that the proposal would substantially meet the One Planet Development criteria within the required timescales. The submitted information indicates that the development would achieve the overall target of 1.88 global hectares per person as set out in the One Planet Development policy and practice guidance documents. The proposal would not have a detrimental impact upon the character and appearance of the area and includes various proposals to improve the site's environment and biodiversity and would not have an unacceptable impact upon the living conditions of nearby residents. It is also not considered that the development would result in unacceptable impacts to highway safety and would not create unacceptable drainage/flood risk implications.

The application is therefore recommended for approval subject to the completion of the Appropriate Assessment process, the applicants entering into and completing a section 106 agreement and the following conditions:

### **Recommendation – Approval**

## Conditions

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:
  - 1:1250 scale Location Plan and Access [A01]
  - 1:100 scale Floor Plan & Elevations Polytunnel [H01]
  - 1:20 scale Floor Plan & Elevations Sawmill Shelter [I01]
  - 1:200 scale Floor Plans & Elevations Barn [C01]
  - 1:100 scale Floor Plans & Elevations Feed Store [E01]
  - 1:100 scale Floor Plans & Elevations Forge [G01]
  - 1:10 scale Floor Plans & Elevations Livestock Shed [F01]
  - 1:100 scale Floor Plans & Elevations Ty Coed [B01]
  - 1:500 scale Proposed Works to Gateway and Entrance [A04]
  - Ecology Survey report by Landsker
  - Crop Lists  
received 4 August 2019
  
  - M.avellanarius Assessment and Impact Report  
Received 24 January 2020
  
  - 1:1250 scale proposed Layout Plan
  - 1:1250 scale Proposed Layout with Land use
  - Flatwood One Planet Development Management Plan by Oliver, Lily and Poppy Weight- London  
received 22 June 2020
- 3 The development hereby approved shall be carried out in full accordance with the Flatwood One Planet Development Management Plan (including the objectives, phasing and monitoring requirements) by Oliver, Lily and Poppy Weight- London received 22 June 2020
- 4 No later than 1 April each year, commencing in the second year after development commences, the occupiers of the site shall submit to the Local Planning Authority an Annual Monitoring Report giving details of the activities carried out during the previous calendar year (1 January to 31 December), setting out performance against the One Planet Development essential criteria as stated within the One Planet Development Management Plan by Oliver, Lily and Poppy Weight- London received 22 June 2020. Where the report identifies that the expected performance targets against any of the essential criteria has not been met, the report shall also set out corrective or mitigating measures sufficient to address the identified deficiencies in performance. These measures shall be implemented, in full and within the timescales stated, as set out in the report and shall form the basis of assessment, along with the original One Planet Development Management Plan for the subsequent Annual Monitoring Report.

- 5 The use of the proposed temporary accommodation (shipping container) for residential purposes shall permanently cease upon first occupation of the dwelling hereby approved. Upon cessation of the residential use, the temporary accommodation (shipping container) shall thereafter only be used for non-residential uses associated with the woodland management or shall be permanently removed from the application site.
- 6 The development hereby approved shall be carried out strictly in accordance with Section 8 and Appendix 5 of the Preliminary Ecological Appraisal by Landsker Ecology dated July 2019 and received 4 August 2019.
- 7 The existing vehicular access shall be improved to comply with the Council's Typical Layout for Agricultural Access Standards (Unclassified Roads) (specification for which is attached to this planning permission), prior to the commencement of the construction works of any of the proposed structures hereby approved. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3-6 To ensure commitment and compliance with the objectives of TAN6 and the One Planet Development Practice Guidance and to avoid the creation of an unencumbered dwellinghouse in the open countryside contrary to national and local planning policies.
- 7 In the interest of highway safety.

## Notes/Informatives

- 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, 30 JUNE 2020

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

**Councillors:**

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

**The following Officers were in attendance:**

L. Quelch, Head of Planning;  
 J. Edwards, Development and Built Heritage Manager;  
 G. Glenister, Development Management Officer;  
 G. Noakes, Senior Development Management Officer [East];  
 Z.M. James, Development Management Officer (South);  
 J. Thomas, Senior Development Management Officer [South];  
 A. Z. Evans, Assistant Engineer Planning Liaison;  
 S. Murphy, Senior Solicitor;  
 J. Owen, Democratic Services Officer.

**Virtual Meeting: 10:00am - 12:15pm**

**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor J.D. James.

**2. DECLARATIONS OF PERSONAL INTERESTS**

Councillor/s	Minute Number	Nature of Interest
J. Gilasbey	<b>4.1 - S/38282</b> Proposed construction of new 174 place Welsh Medium School and 30 place nursery with associated access, car parking, sports pitch, muga and associated landscaping and infrastructure works. At land east of Parc Pendre, Kidwelly, SA17 4AJ.	Councillor Gilasbey has been heavily involved with the project and therefore is predetermined.  Councillor Gilasbey is an LA Governor in Ysgol Gwenllian School, Kidwelly.
D. Cundy; C. Jones; D. Jones; A. Lenny; D. Phillips; G.B. Thomas.	<b>4.3 - S/39358 –</b> Change of use of the property from a Class C3 residential dwelling to a Class C2 Childrens Residential Home at 2 Erw Las, Llwynhendy, Llanelli, SA14 9SF.	Councillors were not present at the Committee’s site visit meeting held on 11th February 2020.

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

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

<b>E/40029</b>	<b>Construction of four residential dwellings, and all associated works at land at, Ffordd y Glowyr, Betws, Ammanford, SA18 2JZ</b>
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**4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS.**

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

<b>S/38282</b>	<b>Proposed construction of new 174 place Welsh Medium School and 30 place nursery with associated access, car parking, sports pitch, Muga and associated landscaping and infrastructure works. At land east of Parc Pendre, Kidwelly, SA17 4AJ</b>  (NOTE: Councillor J. Gilasbey having earlier declared an interest in this item left the meeting prior to the consideration and determination thereof.)
<b>S/39961</b>	<b>Proposed double storey extension and partial conversion of garage at 14 Lllys Cilsaig, Dafen, Llanelli, SA14 8QT</b>

**4.2 RESOLVED that the refusal reasons, based on the reasons provided by the Planning Committee on 11<sup>th</sup> February 2020, stated within the report of the Head of Planning be accepted:-**

<b>S/39358</b>	<b>Change of use of the property from a class C3 residential dwelling to a class C2 Childrens Residential Home at 2 Erw Las, Llwynhendy, Llanelli, SA14 9SF</b>  (NOTE: Councillors D. Cundy, C. Jones, D. Jones, A. Lenny, D. Phillips and G.B. Thomas, having earlier declared an interest in that they were not present at the Planning Committee held on the 11 <sup>th</sup> February 2020 and whilst remained present within the meeting during the deliberations, did not partake in the discussions or vote on the decision of the report).
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**5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS.**

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

<b>W/39871</b>	<b>Conversion of barn into a holiday let at Pantybarcud, Velindre, Llandysul, SA44 5XJ</b>
<b>W/40201</b>	<b>Demolition of existing kitchen, bathroom and outbuilding. Construction of single store flat roof extension to dwelling to include kitchen and bathroom at 53 Hillcroft, Heol Blaenhirwaun, Drefach, Llanelli, SA14 7AJ.</b>

**5.2 RESOLVED that Planning application W/39913 be granted, contrary to the Head of Planning's recommendation to refuse, on the basis that the proposed development was deemed to be within the policy of H5, SP15 and TSM4 and that the necessary conditions be imposed.**

<b>W/39913</b>	<p><b>Conversion of a principal outbuilding, the dismantle and reconstruction of an attached existing outbuilding together with a connecting extension to form two holiday accommodation units at Bwlch, Capel Iwan, Newcastle Emlyn, SA38 9NW</b></p> <p>The Senior Development Management Officer [East] reported that he had received an e-mail from the agent clarifying that the new build element of the proposal although of a two-storey form, it only provides for single storey accommodation within. The agent did however understand and appreciate the draft reason for refusal in a policy context.</p> <p>A representation was made by the local Member, who stated that he was in support of the application, contrary to the officers recommendation to refuse and commented that the as the aim of the development was to adapt on old pig sty to be able to accommodate visitors by re-using the original stones the building would therefore not be out of character. Reference was made to a report developed by the Carmarthen Rural Affairs Task Group where it acknowledged concerns that rural areas were being left behind and that the key to sustainability was to encourage Tourism where possible. The local Member strongly expressed that the applicants should not be prevented in pursuing the proposed development which supported tourism in the area. In addition, contrary to the Officers recommendation to refuse the application, it was felt that the extension would be an improvement and was not deemed to be an extensive alteration and therefore proposed to grant the application, which was seconded.</p>
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The Senior Development Management Officer [East] reiterated to the Committee the reasons why the application was recommended for refusal as outlined in the report. The proposed development amounted to an extensive alteration, extension and re-construction to facilitate the creation of two holiday units and as such was considered contrary to Policies TSM4 and H5 of the Carmarthenshire County Local Development Plan 2014 and paragraph 3.4.1 of Technical Advice Note 23: Economic Development February 2014.

The consensus of the Committee believed that the interpretation of the application was subjective.

The Committee agreed that the necessary conditions should be imposed.

**6. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE:**

**6.1. 11<sup>TH</sup> FEBRUARY 2020;**

**RESOLVED** that the minutes of the meeting of the Committee held on the 11<sup>th</sup> February, 2020 be signed as a correct record.

**6.2. 27<sup>TH</sup> FEBRUARY 2020;**

**RESOLVED** that the minutes of the meeting of the Committee held on the 27<sup>th</sup> February, 2020 be signed as a correct record.

**6.3. 4<sup>TH</sup> MARCH 2020.**

**RESOLVED** that the minutes of the meeting of the Committee held on the 4<sup>th</sup> March, 2020 be signed as a correct record.

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**CHAIR**

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**DATE**