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WEDNESDAY, 29 NOVEMBER 2023

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER - COUNTY HALL, CARMARTHEN. SA31 1JP AND REMOTELY AT 10.00 AM ON THURSDAY, 7TH DECEMBER, 2023** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Julie Owens
Telephone (direct line):	01267 224088
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The meeting can be viewed on the Authority's website via the following link:- https://carmarthenshire.public-i.tv/core/portal/home	

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

PLANNING COMMITTEE – 21 MEMBERS

PLAID CYMRU GROUP - 11 Members

Cllr. Tyssul Evans (Chair)

Cllr. Mansel Charles (Committee Member)

Cllr. Terry Davies (Committee Member)

Cllr. Ken Howell (Committee Member)

Cllr. Carys Jones (Vice-Chair)

Cllr. Jean Lewis (Committee Member)

Cllr. Denise Owen (Committee Member)

Cllr. Dorian Phillips (Committee Member)

Cllr. Russell Sparks (Committee Member)

Cllr. Gareth Thomas (Committee Member)

Cllr. Elwyn Williams (Committee Member)

LABOUR GROUP - 5 Members

Cllr. Peter Cooper (Committee Member)

Cllr. Michelle Donoghue (Committee Member)

Cllr. Anthony Leyshon (Committee Member)

Cllr. Edward Skinner (Committee Member)

Cllr. Michael Thomas (Committee Member)

INDEPENDENT GROUP - 3 Members

Cllr. Sue Allen (Committee Member)

2 x vacancy

UNAFFILIATED – 2 Members

Cllr. John Jenkins (Committee Member)

1 x vacancy

A G E N D A

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF PERSONAL INTERESTS**
- 3. DETERMINATION OF PLANNING APPLICATIONS** 5 - 22
- 4. APPEALS REPORT** 23 - 30
- 5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE:**
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**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Lle a Seilwaith**

**Report of the Head of Place
and Sustainability
Place and Infrastructure**

07/12/2023

**I'W BENDERFYNU
FOR DECISION**

Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	07.12.2023
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
PL/06277	New single dwelling at 67 Llandeilo Road, Cross Hands, Llanelli, SA14 6RD
PL/06297	'Removal of Condition 5 attached to planning permission reference W/38893, to allow retention of the existing wooden structure on site and the retention of a touring caravan for ancillary domestic purposes' at Parc Yr Odyn, Hebron, Whitland, SA34 0XT

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/06277
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Application Type	Outline planning consent - all matters reserved
Proposal	New single dwelling
Location	67 Llandeilo Road, Cross Hands, Llanelli, SA14 6RD

Applicant(s)	Mr & Mrs Spowart
Agent	Gareth Richards Davies Richards Design Ltd.
Officer	Adam Davies
Ward	Llannon
Date of validation	20/07/2023

Reason for Committee

The application has received three separate householder objection, triggering the need for it to be decided at committee.

Site

The application site is an irregular shaped plot of land forming part of the rear garden of 67 Llandeilo Road; 150m metres away from Cross Hands roundabout and 800m from Gorslas. The site is flanked by 1 Heol Last o the North West, 67 Llandeilo Road to the South East, and 65 Llandeilo Road to the South West. The access for the site would be on to Heol las which then enters Llandeilo road from an existing access which serves 1,2,3 and 4 Heol Las.

Proposal

The application seeks Outline permission to establish the principle of residential development on the site with all matters reserved for future consideration.

The indicative plan shows one house fronting on to Heol Las, with scale parameters 8.5m - 10.5 Width, 6.5 - 8m depth, and 4.5m - 7.5m Ridge Height; two parking spaces are shown to serve the dwelling.

Planning Site History

28.04.2009 - S/20601 - Outline planning consent: some matters reserved - Residential Development - Outline Granted

Planning Policy

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

GP2 Development Limits
H2 Housing within Development Limits
SP14 Protection and Enhancement of the Natural Environment
GP1 Sustainability and High Quality Design
EQ4 Biodiversity
EQ7 Development within the Caeau Mynydd Mawr SPG Area

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

Summary of Consultation Responses

- Councillor Llinos Mai Davies - has not commented to date.
- Councillor Dot Jones - has not commented to date.
- Llannon Community Council - has not commented to date.
- SAB (Sustainable Drainage - No objection. SuDS application required.
- Natural Resources Wales - No objection.
- Planning Ecology - Initial objections regarding loss of on-site habitats. The proposal has since been amended to include Biodiversity Enhancements, as such Ecology have withdrawn their objection.
- Conservation Landscape - No objection.
- Conservation Trees - A tree survey was required for the site, however, there are no trees on site therefore the need for a tree survey was negligible.

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

Summary of Public Representations

The application has been publicised by site notice. In response, 4 letters of objection have been received which raise the following issues of concern:

- The development will cause water pressure issues for the properties on Heol Las.

- There will be a detrimental impact on road surface of Heol Las.
- The proposed development will be an eyesore.
- The development will cause parking issues and congestion on Heol Las.
- The access on to Heol Las is already unsafe and will become even more so with increased traffic from the development.
- The size and positioning of the development will restrict sunlight to gardens as garden is sun trap.
- The positioning of the development will cause over looking and a loss of privacy.
- Heol Las is a privately owned lane.
- There will be increased in Noise and Light pollution from the development.
- The development will result in a loss of mature garden area.

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

Appraisal

As stated above, the application is for outline permission for a single dwelling fronting Heol Las on a site that has benefitted from planning permission for two detached dwelling, however this lapsed in 2014.

The objectors have expressed their concern regarding the ownership of the lane; however, the ownership of the land is not a material planning consideration as the lane is not within the red line and does not form part of the application. Our Highways Department were consulted on the application and have offered no objections. Conditions will be imposed in order to address the parking on the site, which has been shown on the indicative block plan; and the visibility on to Llandeilo Road. It is considered that the development will not cause an unacceptable increase in traffic that would affect the amenity of the neighbours.

Concerns have also been raised regarding the maintenance and impact the development will have on the road surface, this again is not a material consideration and would fall under a civil matter. It must be noted that the grant of planning permission does not override land ownership.

The objectors also raise concerns in regard to the design and orientation of the dwelling. It is believed that the house will be an eye sore for residents, however, as this is only an Outline application, the design of the dwelling has not yet been agreed. The neighbours believe that there will be significant overlooking from the dwelling, however the gables of the development will be facing neighbouring dwellings, thus reducing overlooking and the rear elevation will overlook the bottom of the long rear gardens of no.65. The development is within an urban context and there will be mutual overlooking, however it's considered that the development will not cause unacceptable overlooking or loss of privacy.

It is also believed that the development will result in a loss of sunlight to the neighbouring property. It is considered that there will not be significant loss of sunlight as the proposal is due east with the sun tracking east to west.

Objections have been raised regarding the loss of mature garden and the disruption the development will cause. Our Ecology department did object initially to the proposal, however Biodiversity Enhancement have been added to the proposal, and the objection has since been withdrawn. It is considered that the development will cause some short-term disturbances during the construction phase but any noise and light pollution will be minimal in the long term.

Planning Obligations

The Outline application is subject to a Section 106 agreement for an Affordable Housing contribution and Caeau Mynydd Mawr. A deed of variation will be required if a new permission is granted.

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 site and the surrounding area, it is considered that on balance a residential dwelling in the location proposed would not adversely affect the spatial character of the area and is not likely to have an unacceptable adverse impact on the amenities of the third party properties. Whilst there are local concerns in respect of highway safety, the Head of Transport is satisfied that the proposal is acceptable subject to the appropriate conditions. On balance is considered that the proposal is in accordance with the above policies.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

Condition 2

The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

Condition 3

Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In the interests of visual amenity.

Condition 4

The permission relates to the land defined in the Proposed and Existing Block and Location Plans [1877-01 Rev C] received on 09 November 2023 and the scale parameters of the proposed dwelling shown in the Proposed and Existing Block and Location Plans [1877-01 Rev C] received on 09 November 2023.

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

Condition 5

There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole Llandeilo Road frontage within 2.4 metres of the near edge of the highway (to include no 67 Llandeilo Road/land in blue).

Reason: In the interest of highway safety.

Condition 6

Proposed dwelling & No. 67

Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.

Reason: In the interest of highway safety.

Condition 7

No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. The details shall be submitted in pursuance of any reserved matters

application and the development shall be completed in accordance with the approved details.

Reason: In the interests of visual amenity and to safeguard the living conditions of the occupiers of nearby residential properties.

Notes / Informatives

Note 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.

Note 2

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

Note 3

The applicant is advised that this planning permission is subject to a Unilateral Undertaking requiring the payment of a commuted payment towards the provision of affordable housing in the local area.

Application No	PL/06297
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Application Type	Removal/variation of conditions
Proposal	'Removal of Condition 5 attached to planning permission reference W/38893, to allow retention of the existing wooden structure on site and the retention of a touring caravan for ancillary domestic purposes'
Location	Parc Yr Odyn, Hebron, Whitland, SA34 0XT

Applicant(s)	Mr Brendan Powell
Officer	Hugh Towns
Ward	Llanboidy
Date of validation	20/07/2023

Reason for Committee

This application is being reported to the Planning Committee following the receipt of three or more letters of objection from third parties.

Site

The application site comprises a 2.4 hectare parcel of land located within a small cluster of dwellings in a countryside location. It lies approximately 850m to the south west of the village of Hebron and 675m north-west of the village of Llanglydwen. The site has an access from the classified C3122 road which forms its northern boundary. The eastern and southern boundaries are defined by existing hedgerows and vegetation with agricultural fields beyond while the site's western boundary is defined an area of woodland and hedgerows with a residential property beyond.

The site is being developed as a One Planet Development following the grant of planning permission by the Committee in October 2019 (Reference: W/38893). The house has been erected and the site contains polytunnels and various sheds/outbuildings associated with horticultural activities. The site also contains a 'wood porch' or 'wooden structure' and a touring caravan that were used as temporary accommodation whilst the house was being constructed. At one time these were linked but they have now been separated. The temporary accommodation is specifically indicated on the approved plans.

Proposal

Condition 5 of the planning permission W/38893 for the OPD states:

'The proposed temporary accommodation and any attached structures as detailed on the Scale 1:1250 Location Plan showing temporary accommodation and Polytunnel received on 6th January 2020 shall be permanently removed from the site on first occupation of the dwelling hereby approved'.

The dwelling has been occupied and the temporary accommodation, comprising of a touring caravan and an attached 'wood porch' were not removed. The application is therefore the result of an enforcement investigation.

The application is made under the provisions of Section 73A of the Town & Country Planning Act 1990 (as amended) and seeks to carry out the development without complying with a condition subject to which planning permission was granted, namely condition 5. The applicant submits that they would like to retain the 'wood porch' referred to and marked as B on the approved plan and re-purpose it for use as required in the running of their One Planet Development. They would also like to retain the touring caravan for ancillary domestic purposes although no longer attached to the 'wood porch'.

Planning Site History

W/38893 - This planning application is for a low impact, sustainable horticultural development under Welsh Government Policy TAN6, one planet development. The land is currently classified as agricultural land and the application will involve a change of use for the land or part of it to residential use - Full Planning Permission 17 October 2019

W/34079 - Proposed change of use from agricultural building to dwelling - Full Refusal 30 August 2016

W/24984 - Reinforcement work on 25 km Hebron 11kv feeder Overhead Line - Approval 11 August 2011

W/10991 - Temporary permission for five years for three polytunnels plus construction of general purpose agricultural building plus retention of access as built - Full planning permission 20 February 2006

W/09956 - Retention of mushroom & general purpose shed and pigsty on a permanent basis. Construction of tractor shed & barn. Temporary permission for 3 polytunnels for 5 years - Withdrawn 26 July 2005

W/08023 - Permanent retention of buildings - Withdrawn 17 January 2005

TM/00510 - Organic horticultural veg & fruit production unit - Full planning permission 16 April 2002

D4/17265 - Siting of a bungalow and garage - Refusal 17 February 1989

D4/14740 - Siting of a bungalow and garage - Refusal 31 July 1987

D4/26365 - Smallholding comprising hay barn, tractor shed, stables, potting shed storeroom and chicken house - Full planning permission 10 October 1996

Planning Policy

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

Policy GP1 - Sustainability and High Quality Design

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

Summary of Consultation Responses

Cilmaenllwyd Community Council - has not commented to date

Local Member - Cllr Dorian Phillips is a Member of the Planning Committee and has made no prior comment on the application

Summary of Public Representations

The application has been publicised by neighbour notification to three properties. In response, 4 letters of objection (one anonymous) have been received which raise the following issues of concern:

- the 'porch' or 'wooden structure' does not amount to permitted development and should not be described as a porch
- the caravan has not been removed as is stated
- the plans are not to scale and are misleading
- the condition was intended to prevent a second dwelling on the site
- there are no valid reasons to retain the structure/caravan

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

Appraisal

As stated above, the site is being developed as a One Planet Development following the grant of planning permission by the Committee in October 2019 (Reference: W/38893). The house has been erected and the site contains polytunnels and various sheds/outbuildings associated with horticultural activities. The site also contains a 'wood porch' or 'wooden structure' and a touring caravan that were used as temporary accommodation whilst the house was being constructed. At one time these were linked but they have now been separated, the temporary caravan has been relocated on site.

It is accepted that the site is not yet developed to the full extent of the permitted OPD. Planning Policy Wales Edition 11 states that OPD located in the open countryside should provide for the minimum needs of the inhabitants in terms of income, food, energy and waste assimilation over a period of no more than five years from the commencement of work on

the site. The owners commenced work on 30 June 2020 and are therefore well within the 5 year period for establishment. The approved exit strategy recognises that the residential use would need to cease and that this would involve the dwelling's removal and removal of other buildings and structures as necessary should they fail to achieve the essential characteristics of One Planet Development in the open countryside by 30 June 2025.

At the time the OPD was approved, Condition 5 was imposed. The condition requires the proposed temporary accommodation and any attached structures as detailed on the Scale 1:1250 Location Plan showing temporary accommodation and Polytunnel received on 6th January 2020 to be permanently removed from the site on first occupation of the dwelling hereby approved. The applicant now wishes to retain the 'attached structure' referred to on the approved plan as 'wood porch' and re-purpose it for use in their OPD activity. They also wish to retain the touring caravan which is no longer attached to the 'wood porch'. The caravan would be used for ancillary domestic purposes and not as a separate dwelling on the land. It is not considered unreasonable in principle to provide additional structures to support horticultural activity.

The objectors claim that referring to the structure the applicants are seeking to retain as a 'wood porch' or 'wooden structure' is deliberately misleading as they consider it to be a cabin. However, as the approved plan refers to the structure as a 'wood porch' it is not unreasonable to continue to refer to it as such. They also consider that the intention of condition 5 was to prevent a second dwelling becoming established at the site. The reason specified within the decision notice for the imposition of Condition 5 was 'in the interest of the character and appearance of the area to accord with Policy GP1 of the Carmarthenshire Local Development Plan adopted December 2014'. Whilst retaining the caravan and 'wood porch' as temporary accommodation would be out of character with the area, thereby necessitating their removal, the retention of the 'wood porch' as a stand alone shed re-purposed for horticultural use is a different consideration. It is located within an area of other sheds/outbuildings and polytunnels and is not out of character within that context. However, it would still be important to prevent a separate dwelling becoming established at the site.

Objectors also disagree with the applicants reference to the 'wood porch' being permitted development had it not been for condition 5. The objectors view is correct in that the 'wood porch' would not amount to permitted development as it is just outside the recognised residential curtilage of the dwelling. However, the applicant could demolish this shed and erect a similar shed within the residential curtilage without planning permission. It is therefore a consideration whether it is necessary, or sustainable, to demolish an existing shed and replace it with another similar shed less than 5m from its current location.

The objectors also claim that the submitted plan is not to scale and is misleading, however, it is the same plan as was approved under W/38893. Where applications seek to retain development already built without compliance with a condition of a planning permission already granted, no plans or other documents are required for validation purposes. In any event it is abundantly clear within the application what building the application seeks to retain as it is the one referred to in Condition 5 and shown on the approved plan.

Objectors also complain that the touring caravan has not been removed from the site as is claimed by the applicants. Initially the application did not include the retention of the caravan but it has subsequently been amended in order to do so, albeit that the caravan is no longer attached to the 'wood porch'. It's intended use is ancillary domestic, no different to any other touring caravan.

Planning Obligations

The OPD application (Reference: W/38893) is subject to 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. A deed of variation will be required if a new permission is granted.

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 judgement that needs to be applied in this case is whether the retention of the 'wood porch' for use for OPD horticultural purposes is unreasonable and whether the applicants having a touring caravan on site is unreasonable, especially as the applicants could erect a similar shed within the residential curtilage without planning permission within 5m of the existing 'wood porch'. It is considered unsustainable to demolish one structure and to erect another for the same purpose within such close proximity. The site of the existing 'wood porch' is also reasonably well located in terms of it being screened from the County Road by intervening vegetation.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 30 June 2020.

Reason: To comply with Section 73 A of the Town and Country Planning Act (as amended)

Condition 2

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

- 1:1000 scale Location Plan received 8th May 2019;
- 1:1500 scale Site Plan (showing temporary accommodation) received 21st May 2019;

- Scale 1:1250 Location Plan showing amended location and details of temporary accommodation and Polytunnel received on 6th January 2020
- 1:100 scale House - Amended Elevations received 12th February 2020 ;
- 1:100 scale House - Amended Floor Plan received 12th February 2020;
- 1:100 scale Processing unit - Floor Plan & Elevations received 8th May 2019;
- 1:100 scale Shed Floor Plan & Elevations received 8th May 2019;
- 1:100 scale Workshop - Floor Plan and Elevations received 8th May 2019;
- Landscaping Plan NTS received 8th May 2019;
- Landscape and Visual Impact Assessment received 8th May 2019;
- Ecology Survey Report by Aderyn Ecology received 8th May 2019;
- Written Scheme of Investigation Archaeological Watching Brief dated 3rd February 2020 by Heritage Recording Services Wales received 6th February 2020
- One Planet Development Management Plan by Brendan and Ludka Powell dated May 2019 received 8th May 2019 as supplemented by the following documents:-
- Historic Landscape Report received 8th May 2019;
- Visual and Sensory Report received 8th May 2019;
- Landscape Habitat Report received 8th May 2019;
- Geological Landscape Report received 8th May 2019;
- Soil Analysis Results received 8th May 2019;
- Soil Analysis Report received 8th May 2019;
- Basic Compliance Report received 8th May 2019;
- Ecological Footprint Calculator received 8th May 2019.

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

Condition 3

The development hereby approved shall be carried out in full accordance with the One Planet Development Management Plan (including the objectives, phasing and monitoring requirements) by Brendan and Ludka Powell dated May 2019.

Reason: 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.

Condition 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 Brendan and Ludka Powell dated May 2019. 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.

Reason: 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.

Condition 5

The proposed temporary accommodation and attached structure shown as A = Caravan & B = Wood Porch on the 1:1250 Scale Location Plan received on 6th January 2020 shall cease to be used as residential accommodation on first occupation of the dwelling hereby approved.

Reason: To ensure that a separate unit of residential accommodation does not become established at the site.

Condition 6

Prior to the residential occupation of the site, a visibility splay of 2.0 metres x site extents shall be provided either side of the site and shall be retained thereafter in perpetuity. There shall at no time be any obstruction above 0.9 metres within this splay area.

Reason: In the interest biodiversity and highway safety to accord with Policy EQ1 and TR3 of the Carmarthenshire Local Development Plan adopted December 2014.

Condition 7

Prior to the provision of the visibility splays as required by condition 9, a detailed impact assessment of the works required to the hedgerow and tree vegetation either side of the existing access to accommodate the visibility splays shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall detail the visibility splays and splay detail on a plan drawn to a recognised scale and must describe any impacts to hedgerows and trees including lengths of habitat affected and how any impacts will be mitigated.

Reason: In the interest biodiversity and highway safety to accord with Policy EQ1 and TR3 of the Carmarthenshire Local Development Plan adopted December 2014.

Condition 8

The parking spaces and layout shown on the plans herewith approved shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

Reason: In the interest biodiversity and highway safety to accord with Policy EQ1 and TR3 of the Carmarthenshire Local Development Plan adopted December 2014.

Notes / Informatives

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.

The proposed development complies with Policy GP1 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the building to be retained is of an acceptable scale and design for a horticultural outbuilding and would not have an adverse impact on the character and appearance of the site or area within which it is located. In addition, there are no adverse effects to residential amenity, biodiversity or highway safety. A touring caravan is also not considered to be unreasonable provided it is not used for residential purposes

Note 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.

Note 2

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

Note 3

This permission is subject to the clauses set out in a Section 106 Agreement that ties the dwelling to the land to ensure that the proposal complies with the requirements of the One Planet Development Policy and Practice Guidance documents and avoids the creation of an unencumbered dwelling in the open countryside contrary to national and local planning policies.

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Lle a Seilwaith**

**Report of the Head of Place
and Sustainability
Place and Infrastructure**

07/12/2023

**APELIADAU
APPEALS**

COMMITTEE:	PLANNING COMMITTEE
DATE:	07/12/2023
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

Planning Appeals

Summary

Planning and Environment Decisions Wales (PEDW) manages casework relating to the development and use of land in the public interest, and deal with planning appeals.

[A Guide to Engaging with Planning & Environment Decisions Wales](#)

The local planning authority makes decisions on planning applications, and the applicant can appeal a planning decision if either they disagree with it, or the decision was not made within 8 weeks.

This report provides the following information relating to planning appeals:-

- A description of the appeal stages
- The role and responsibilities of the parties
- How to comment on an appeal
- The appeal timescales
- Table 1 - Appeals Lodged as @ 27/11/2023
- Table 2 - Appeals in Progress as @ 27/11/2023
- Table 3 - Appeals Determined between 31/10/2023 and 27/11/2023

Appeal Stages

Receipt to validation

Appeal submitted ('lodged') to Planning and Environment Decisions Wales. On receipt, they check that it is a valid appeal. If all documentation is submitted with the initial appeal the validation stage will take 3 to 5 working days.

Validation to start

Once the appeal has been validated, PEDW provide the timetable for the appeal. This includes deadlines for the submission of representations and support documents.

Appeals may be considered by a Planning Inspector in one of three ways:

- written representations which involve the exchange of written statements by the appellant and the Council
- informal hearing
- public inquiry

Start to event

PEDW will identify a suitable inspector to consider the appeal submissions. The inspector will hold a site visit, hearing, or an inquiry.

Event to decision

The inspector will make a final decision on the appeal based on the evidence submitted. Decisions are published on the [appeals portal](#).

Roles and responsibilities

Further guidance on the roles and responsibilities of each party in the appeals or called-in application process can be viewed here:

<https://www.gov.wales/planning-appeals-guidance-procedural-guide>

Comment on an appeal

Anyone can comment on a planning appeal.

The deadline for comments is 4 weeks after the start date of the appeal.

The local planning authority must tell anyone who has commented on the original application (interested parties) that there's an appeal.

We must do this within a week of the appeal being started by Planning and Environment Decisions Wales. Read the [detailed guidance about taking part in an appeal](#).

Timescales

Most appeals are handled in writing and take about 14 weeks to determine. Informal hearings are likely to take up to about 21 weeks and public inquiries up to about 29 weeks.

TABLE 1 - Appeals Lodged as @ 27/11/2023

There remains a backlog of new appeals waiting to be validated and started by PEDW. For several customer service, operational and resource reasons they have taken the decision to prioritise our Householder, Advert and Minor Commercial Appeal Services by starting these appeals ahead of other casework at this time. Except for a limited number of specialist cases that require bespoke procedural administration, all other casework will be dealt with in order of date of receipt.

The following appeals have been lodged with PEDW and are currently waiting a start date to progress. No comments should be submitted at this time.

Planning Applic No	Appeal Lodged Date	Ward	Site Address	Proposal	Public Register Link
PL/03823	01/08/2023	Bigyn	Trostre Retail Park, Llanelli, Trostre, Carmarthenshire, SA14 9UT	Proposed demolition of existing building on site and subsequent construction of a Class A1 Lidl food store, Class A3 Drive Thru Restaurant and associated infrastructure works	AP-7263
PL/00754	08/08/2023	Manordeilo and Salem	Angel Inn, Salem, Llandeilo, SA19 7LY	The proposal converts the existing ground floor (existing main bar area) into one 2-bedroom flat and first floor plan (existing 4 en-suite bedroom flat) into 2 flats (two bedroom flat and one bedroom flat) along with an extension that opens out to abide with current Covid regulations and the construction of 2 new holiday units to the rear of the site	AP-7264
PL/04459	17/08/2023	Quarter Bach	Land South of Cwmgarw Road, Upper Brynamman, Ammanford, SA18 1BY	Outline application with all matters reserved for residential development comprising up to 60 dwellings	AP-7271
PL/05039	07/09/2023	Llanfihangel Aberbythych	Bryngwyne Fach Farm, Carmel, Llanelli, SA14 7UH	Provision of traveller site with twin unit caravan, day/utility room, touring caravan, agricultural buildings, solar array and access improvements (partly in retrospect)	AP-7275
PL/05366	02/10/2023	Llanboidy	The Caravan, Springwells Farm, Llanboidy, Whitland, SA34 0EB	Replacement of lawful caravan & decking with dwelling & integral garage (Re-submission following refusal of PL/04327)	AP-7295
PL/05635	01/11/2023	Penygroes	34 Clos Coed Derw, Penygroes, Llanelli, SA14 7RD	Erection of a new purpose-built single storey disable compliant bungalow to meet disability needs	AP-7302

TABLE 2 - Appeals in Progress as @ 27/11/2023

The following appeals are in progress. Comments can only be submitted to PEDW by the Deadline Date. If comments are submitted after the deadline they will be returned. No new evidence is allowed at this stage.

Planning Applic No	PINS Start Date	Ward	PEDW Case Search	Process	Appeal Reason	Decision Making	Final Comments Deadline Date	Site Address	Proposal	Files	Public Register
PL/00228	28/03/2023	Llangunnor	APP/M6825/A/21/3276330	Hearing	The refusal of planning permission by this Council	Delegated Decision	09/06/2023	Land at Penbryn Farm, Llangynnor, Nantycaws, Carmarthen, SA32 8EX	Creation of a family traveller pitch (for three generations) to include three static caravans and tourers, ancillary day / utility rooms, new stable block, retention and extension of hardcore area, retention of storage containers and installation of a package treatment plant	PL/00228	AP-7164
PL/04651	09/08/2023	Swiss Valley	CAS-02579-Z6S0Z2	Hearing	The refusal of planning permission by this Council	Delegated Decision	20/09/2023	Land South of Coed Y Ffarm, Felinfoel, Llanelli, SA14 8JB	Provision of two traveller pitches to include static caravan, touring caravan and day room per pitch, relocated access point, two stable blocks and ecological improvements	PL/04651	AP-7249
WI/40384	06/09/2023	Llanfihangel-ar-Arth	CAS-02685-Y9K0P6	Hearing	The refusal of planning permission by this Council	Delegated Decision	18/10/2023	Land Adjacent to Llwyngwen, Dolgran Road, Pencader, Carmarthen, SA39 9BX	Proposed erection of one dwelling with pair of semi-detached garages to rear - one for this plot (2) and the second for already approved dwelling to plot 1	WI/40384	AP-7252
PL/04306	20/09/2023	Llangyndeyrn	CAS-02696-N2Y5S7	Written Representations	The refusal of planning permission by this Council	Delegated Decision	01/11/2023	Vacant land off St Annes Lane, Cwmffrwd, Carmarthen, SA31 2LZ	Outline planning permission for up to 23 dwellings and associated works including off-site highway improvements (resubmission of PL/01879)	PL/04306	AP-7251
PL/05461	03/10/2023	Burry Port	CAS-02756-S8G9K1	Hearing	The refusal of planning permission by this Council	Delegated Decision	14/11/2023	4 Bryn Terrace, Burry Port, SA16 0EE	Side extension to existing dwelling	PL/05461	AP-7254
PL/04600	06/10/2023	Glyn	CAS-02803-Q3J5G0	Written Representations	The refusal of planning permission	Delegated Decision	17/11/2023	Ty Gwyn Woodlands, Heol Llanelli,	Full application for demolition and replacement of existing lawful residential unit in the	PL/04600	AP-7258

					by this Council			Pontyates, Llanelli, SA15 5UH	form of a twin unit mobile home and porch, with a new dwelling and associated works		
PL/05883	11/10/2023	Llannon	CAS-02969-L5W9C5	Written Representations	The refusal of planning permission by this Council	Delegated Decision	22/11/2023	64 Rhosnewydd, Tumble, Llanelli, SA14 6LA	Rear first floor extension	PL/05883	AP-7298
PL/03326	24/10/2023	Llandybie	CAS-02761-P6R9R9	Written Representations	The failure by this Council to determine a planning application within the appropriate period	Delegated Decision	05/12/2023	Cae Grug, Wernddu Road, Ammanford	Conversion and adaption of stable to form a residential unit	PL/03326	AP-7255
PL/05874	01/11/2023	Manordeilo and Salem	CAS-02856-D4M7F1	Written Representations	The refusal of planning permission by this Council	Delegated Decision	13/12/2023	Field between Langwm Farm and Danygraig Small Holding, Talley, Llandeilo, SA19 7YS	Retention of Storage Shed (resubmission of PL/03979)	PL/05874	AP-7261

** Householder Appeal - There will not be an opportunity for interested parties to comment at appeal stage, only to withdraw any previous comments made. However, any representations that were made to us regarding the original planning application will be forwarded to PEDW and the Inspector will take full account of these when deciding the appeal.

TABLE 3 - Appeals Determined between 31/10/2023 and 27/11/2023

The following appeals have been determined by PEDW:-

None.

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9 NOVEMBER 2023

PRESENT: Councillor W.T. Evans (Chair)

Councillors (In Person):

S.M. Allen	J.M. Charles	J.K. Howell	A.C. Jones
M.J.A. Lewis	B.D.J. Phillips	E. Skinner	G.B. Thomas
M. Thomas			

Councillors (Virtually):

T. Davies	M. Donoghue	A. Leyshon	D. Owen
R. Sparks	D.E. Williams		

Also Present (In Person):

H. Towns, Senior Development and Enforcement Manager;
 J. Thomas, Senior Development Management Officer [Aman Gwendraeth];
 R. Edgecombe, Legal Services Manager;
 E. Evans, Principal Democratic Services Officer;
 A. Eynon, Principal Translator;
 D. Hall-Jones, Member Support Officer;
 J. Owen, Democratic Services Officer.

Also Present (Virtually):

K. Phillips, Development Management Officer;
 M. Runeckles, Members Support Officer.

Chamber, County Hall, Carmarthen, SA31 1JP and remotely: 10:00am - 11:53am

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Cllr. Peter Cooper.

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
C. Jones	3 – Planning application PL/06541 Change of use of redundant building into one residential unit (renewal of planning permission W/38933 dated 15 th December 2020) at Building at Parc Y Cnwc, Old School Road, Llansteffan, Carmarthen, SA33 5HA	Personal and Prejudicial - The applicant is known to her.

3. DETERMINATION OF PLANNING APPLICATIONS

3.1 UNANIMOUSLY RESOLVED that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Place and Sustainability and or reported at the meeting:-

PL/03820	Installation of a 30m lattice tower supporting 6 no. antennas, 4 no. transmission dishes, 2 no. equipment cabinets, 1 no. meter cabinet, 1 container with solar panel atop housing Hydrotreated Vegetable Oil generator, battery and biofuel tank, 3 free standing solar panel arrays and ancillary development thereto including a generator and associated fuel tank, a fenced compound, a gabion wall and a hard standing area for the Shared Rural Network project at Clywedog Plantation, Ffarmers, Llanwrda, SA19 8PX
	<p>Following a presentation by the Senior Development Management Officer [Aman Gwendraeth], the Committee was advised that the Head of Place and Sustainability was recommending approval of the application for the reasons detailed within the written report.</p> <p>A representation was received objecting to the application reiterating the points detailed within the Head of Place and Sustainability's report and included:</p> <ul style="list-style-type: none">• Reference to the 67 representations objecting to the application;• The disproportionate benefits does not outweigh the negative impacts of the development;• The negative aesthetic impact on the exposed surroundings which currently is free of modern structures;• Currently there was appropriate signal for mobile phones and superfast fibre broadband in the locality and that the proposed development would not be required. <p>The applicant's agent and Senior Development Management Officer responded to the issues raised.</p>

3.2 UNANIMOUSLY RESOLVED that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Place and Sustainability and or reported at the meeting:-

PL/06541	Change of use of redundant building into one residential unit (renewal of planning permission W/38933 dated 15th December 2020) at Building at Parc Y Cnwc, Old School Road, Llansteffan, Carmarthen, SA33 5HA
	Note: Councillor C. Jones having earlier declared a personal and prejudicial interest in this item, left the meeting prior to the consideration and determination thereof).

4. APPEALS REPORT

The Committee considered the Planning Appeals Report which provided information relating to lodged planning appeals as at 30th October, 2023.

UNANIMOUSLY RESOLVED that the report be noted.

5. PLANNING SERVICE PERFORMANCE - QUARTER 2

The Committee considered the Planning Service Performance Report, for Quarter 1 for the period 1st July 2023 to 30th September 2023 for the Planning Service and, notably, the Development Management and Enforcement Division. The report included core performance monitoring indicators together with comparative data in respect of 2022/23.

The following questions were raised in relation to the report:-

- In response to a query regarding the data, the Senior Development and Enforcement Manager stated that in acknowledging that the Covid pandemic had a significant impact on the enforcement sector due to the nature of the investigations on sites, it was explained that incrementally processes had been changed to address enforcement matters including those pre-Covid.
- Concerns were raised in regard to the difficulties in accessing Planning Officers and the lack of updates provided to Local Members on enforcement matters. The Senior Development and Enforcement Manager explained that the intention of the Hwb. as a first point of contact, was introduced to help alleviate the challenges Planning Officers were experiencing in terms of the significant time that was being spent to respond to many queries which had a detrimental impact on the daily workload. The Hwb had helped in responding to many of the queries and filtered the forwarding queries which were then prioritised accordingly. Furthermore, Members were informed that the department was required to work within the confines of the enforcement processes including timescales. In terms of information being forwarded to local Members, it was reported that there was a risk that an enforcement case could result in court proceedings.

Whilst a considerable amount of work was carried out behind the scenes of each enforcement case, Officers, during the processing of a case were not able to liaise with the public or Members in the case of a court action. In accepting this, Members commented that they would be grateful for a brief update eg a 'site visit' has been made, 'in process', this information would furnish local Members with the knowledge that work was being carried out.

- In terms of complaints/reporting, the Senior Development and Enforcement Manager explained that anonymous reporting was no longer accepted and that a contact was required to enable further action. Should a member of public wish to remain anonymous they utilise their local member to complain on their behalf.
- In terms of enforcement, the Senior Development and Enforcement Manager acknowledged that further improvements were required and that the internal processes would be revisited.

UNANIMOUSLY RESOLVED that the report be noted.

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

6.1. 26TH SEPTEMBER 2023

RESOLVED that the minutes of the meeting of the Committee held on the 26th September 2023 be signed as a correct record.

6.2. 12TH OCTOBER 2023

RESOLVED that the minutes of the meeting of the Committee held on the 12th October 2023 be signed as a correct record.

6.3. 24TH OCTOBER 2023

RESOLVED that the minutes of the meeting of the Committee held on the 24th October 2023 be signed as a correct record

CHAIR

DATE

PLANNING COMMITTEE

TUESDAY, 21 NOVEMBER 2023

PRESENT: Councillor W.T. Evans (Chair)

Councillors (In Person):

S.M. Allen	J.M. Charles	P. Cooper	J.K. Howell
A.C. Jones	M.J.A. Lewis	A. Leyshon	B.D.J. Phillips
E. Skinner	M. Thomas		

Councillors (Virtually):

M. Donoghue	R. Sparks	D.E. Williams
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Also Present (In Person):

H. Rice, Senior Development Management Officer
J. Thomas, Senior Development Management Officer [Aman Gwendraeth]
S. Murphy, Senior Solicitor
L. Davies, Simultaneous Translator
D. Hall-Jones, Member Support Officer
K. Thomas, Democratic Services Officer

Also Present (Virtually):

I.R. Llewelyn, Forward Planning Manager
Z.A. Evans, Senior Technician [Planning Liaison]
R. Morris, Members Support Officer

Chamber - County Hall, Carmarthen. SA31 1JP and remotely - 10.00 - 10.36 am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D. Owen and G.B. Thomas.

2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interest.

3. DETERMINATION OF PLANNING APPLICATIONS

RESOLVED

- 3.1 that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Place and Sustainability and or reported at the meeting and also to clarification being obtained that the drainage arrangements at the site complied with current Phosphate Regulations:-**

Note: These minutes are subject to confirmation at the next meeting.

PL/00462	Retrospective application for building for dog breeding purposes at Greenview, Llandeilo, SA19 7LD
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3.2. that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Place and Sustainability and or reported at the meeting:-

PL06769	Variation of Condition 1 of Planning Permission E/37932 to extend the period of commencement of the development by a further 5 years at Towy Valley Cycleway, Nantgaredig, Ffairfach
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CHAIR

DATE

Note: These minutes are subject to confirmation at the next meeting.