

Document Pack



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

TUESDAY, 14 SEPTEMBER 2017

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN AT 10.00 AM ON THURSDAY, 21ST SEPTEMBER, 2017** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Janine Owen
Telephone (direct line):	01267 224030
E-Mail:	Democraticservices@carmarthenshire.gov.uk
Ref:	AD016-001

PLANNING COMMITTEE

20 MEMBERS

PLAID CYMRU GROUP - 10 MEMBERS

1. Councillor Liam Bowen
 2. Councillor Mansel Charles
 3. Councillor Tyssul Evans
 4. Councillor Jeanette Gilasbey
 5. Councillor Ken Howell
 6. Councillor Carys Jones
 7. Councillor Alun Lenny (Chair)
 8. Councillor Jean Lewis
 9. Councillor Gareth Thomas.
 10. Councillor Eirwyn Williams
- Member of Llanegwad Community Council
Member of Llangyndeyrn Community Council
Member of Kidwelly Town Council
Member of Carmarthen Town Council

LABOUR GROUP - 6 MEMBERS

1. Councillor Penny Edwards
 2. Councillor John James
 3. Councillor Dot Jones
 4. Councillor Ken Lloyd
 5. Councillor Kevin Madge
 6. Councillor Louvain Roberts
- Member of Pembrey & Burry Port Community Council
Member of Llannon Community Council
Member of Carmarthen Town Council
Member of Cwmamman Town Council

INDEPENDENT GROUP - 4 MEMBERS

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

NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THIS COMMITTEE

A G E N D A

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF PERSONAL INTERESTS

3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS 5 - 16

4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS 17 - 56

5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS 57 - 102

6. MINUTES

6 .1 27TH JULY 2017 103 - 106

6 .2 8TH AUGUST 2017 107 - 110

6 .3 24TH AUGUST 2017 111 - 114

This page is intentionally left blank

*Ardal
Dwyrain/
Area East*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

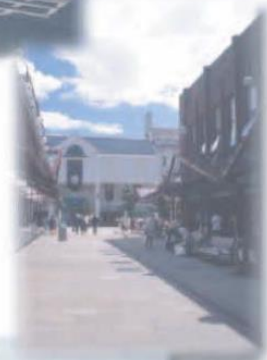
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 21 MEDI 2017
ON 21 SEPTEMBER 2017**

**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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	21 SEPTEMBER 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
	There are no applications recommended for Approval.

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
E/35478	Repair and conversion of Salem Chapel in to 1 residential dwelling at Salem Chapel, Campbell Road, Llandybie, Ammanford, SA18 3UP

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	E/35478
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	REPAIR AND CONVERSION OF SALEM CHAPEL IN TO 1 RESIDENTIAL DWELLING AT SALEM CHAPEL, CAMPBELL ROAD, LLANDYBIE, AMMANFORD, SA18 3UP

Applicant(s)	MS HAFIDA SARACHI, C/O AGENT,
Agent	LES STEPHAN PLANNING LTD, UNIT 9, SWEETLAKE BUSINESS VILLAGE, SHREWSBURY, SY3 9EW
Case Officer	Andrew Francis
Ward	Llandybie
Date of validation	04/05/2017

CONSULTATIONS

Head of Transport – Offers 'no observations' on the application.

Dwr Cymru Welsh Water – Advises that the site is crossed by a public sewer and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Natural Resources Wales - Maintain their objection to the proposed development and recommend that planning permission is refused as concerns regarding flood risk to the site cannot be overcome by modifications to the proposed scheme or by planning conditions.

Dyfed Archaeological Trust – Recommend that a photographic record be taken before any work commences.

Llandybie Community Council – Offers no objections to the proposal.

Local Members - County Councillor W R A Davies has not commented to date, County Councillor D Nicholas requests that the application be presented before the Planning Committee.

Neighbours/Public – The application was advertised by means of a Site Notice. No comments have been received as a result.

RELEVANT PLANNING HISTORY

E/34338 Conversion of Existing Chapel (D1)
 Into 1 No Residential Dwelling (C3)

	Full Planning Refused	25 October 2016
E/31599	Change of Use from D1 to Domestic Dwelling Full Planning Refused	8 April 2015
	Appeal Dismissed	19 October 2015
E/26332	One Detached Residential Dwelling with Detached Garage Withdrawn	21 March 2014
E/14322	Residential Development - One House (Resubmission of E/11274) Outline Planning Refused	08 November 2006
E/11274	Residential Development - One House Outline Planning Refused	25 October 2005

APPRAISAL

THE SITE

The application site consists of the existing but closed Salem Chapel situated on the eastern flank of Campbell Road, Llandybie. The existing building is set within a generous, broadly rectangular plot largely laid to grass, with the chapel set towards the rear. The application site is bounded by Campbell Road to the front, residential properties to either side and the river Marlais to the rear, with the site being approximately midway between the upstream masonry arch bridge on Kings Road and the A483 (Ammanford Road) highway bridge. The road frontage is defined by a low, stone boundary wall topped with ornate iron railings, with a gateway at the left-hand end, aligned with the entrance doorway to the chapel, the two linked by a path.

The chapel is a simple rectangular structure, 11.8 metres in length by 8 metres in width and a height of 7.7 metres, with a small entrance porch on the north end wall. Although most of the furniture, fixtures and fittings have been removed, the main chapel has an original parquet floor in pristine condition with the porch having a decorative tiled floor.

Externally, the walls are rendered with a natural slate roof covering. There are two small red brick outbuildings with slated roofs at right angles to the south-east corner, but not joined to the chapel. These are likely to have been a boiler house and toilets.

The application site is situated within the development limits for Llandybie and is also situated within the C2 Flood Zone as defined in the Development Advice Maps issued by the Welsh Government as part of TAN15.

THE PROPOSAL

This application seeks to convert the existing chapel building (Use Class D1) into a single three bedroom residential dwelling (Use Class C3). Externally, modest changes are proposed, the main change being the addition of a decking area onto the rear elevation and six roof lights/windows, three in each roof plane.

Internally, the ground floor is to remain fairly open plan with space for the kitchen, study, lounge, dining area and circulation areas. The new first floor is to provide 3 bedrooms (one en-suite) and a bathroom.

The application is supported by a Design and Access Statement; Bat Survey and Mitigation report; Heritage Impact Statement; Flood Consequences Assessment (FCA) and a 47 signature petition of largely local households in support of the proposal.

Based on the advice of the submitted Flood Consequence Assessment (FCA), the ground floor level has is proposed to be increased by 650mm.

PLANNING POLICIES

In the context of the current development control policy framework, any proposal of this nature falls to be considered against the general criteria of a number of Carmarthenshire Local Development Plan (LDP) policies and national policies.

General Development Policy GP1 in this instance requires that the conversion conforms with and enhances the character and appearance of the building; would not significantly impact upon the amenity of the users of adjacent properties or the community, and protects and enhances the townscape and the historic and cultural heritage of the County.

Policy H2 states that housing developments on unallocated sites within development limits will be allowed, provided they are in accordance with the Plan's strategy, policies and proposals.

In terms of the Plan's strategy and Proposals, as the site is located in a C2 Flood Zone, policy SP2 is applicable. This relates to climate change and requires, in this instance, to avoid, or where appropriate, minimise the risk of flooding including the incorporation of measures such as SUDS and flood resilient design features. Proposals for development which are located within areas at risk from flooding will be resisted, unless they accord with the provisions of Technical Advice Note (TAN) 15 Development and Flood Risk.

With reference to TAN 15, which transcribes national policy in Wales into practical guidance on flooding and land use planning. TAN 15 defines what a 'Less Vulnerable Development' is and what would be a 'Highly Vulnerable Development' as well as defining the flood risk zones in the Development Advice Maps (DAM). Essentially, TAN 15 states that no Highly Vulnerable Development shall be located within a C2 flood zone unless, a submitted FCA clearly shows that the application site would not flood in a 1 in 1000 year flood, or detrimentally affect other properties.

As bats have been found in the building, policy EQ4 applies in the context of biodiversity, in particular priority species and states that, in this instance, development which affects these species will not be permitted, except where it can be demonstrated that the impacts can be satisfactorily mitigated, acceptably minimised, or appropriately managed to include net enhancements.

TAN 5 is the Welsh Government's guidance that refers specifically to Nature Conservation and Planning. Taking into account the policy guidance, given the bat roost found, an European Protected Species (EPS) license from NRW will be required to do works to the

building. No indication has been provided by NRW whether they would be prepared to issue a licence, given their fundamental objection they make regarding flood risk.

THIRD PARTY REPRESENTATIONS

The application was advertised by means of a Site Notice with no representations having been received in response.

The applicant has spoken at a meeting with Llandybie Community Council who, following the meeting do not object. The applicant has also spoken with the Local Members and Jonathan Edwards MP with a letter having been received from Mr Edwards in which he conveys that the applicant has informed him that since the building has remained empty since 2005, it has fallen into a state of disrepair; the changes will be mainly internal; a Historic Building Consultant has stated that the building is an undesignated heritage asset and converting it into a small home is the only viable option to secure its long term future; the applicant has received an insurance quote from the NFU which she believes demonstrates that the insurance industry does not consider the flood risk to be of serious concern; the chapel grounds are now a hotspot for anti-social behaviour and the applicant has provided a petition from local residents supporting the proposal.

County Councillor David Nicholas supports the points conveyed by Jonathan Edwards MP and the applicant and has requested that the application be considered at Planning Committee.

CONCLUSION

The central issue in the determination of the application is the effect of the proposed development on flood risk. This has been the principal concern throughout the planning history of the application site with each of the earlier planning applications in respect of the proposed residential use of the site having been refused or withdrawn due to the flood risk.

With regard to the above points conveyed by the MP and local member, the applicant purchased this building at auction in September 2014 without seeking planning advice regarding potential uses and issues such as the previous refusals of planning permission on the grounds of flood risk. Many other potential purchasers did so and were advised that given the flood risk, there was no policy support to convert the building into a dwelling. An internet search reveals that the auction guide price was £25,000 that would appear to have clearly reflected the unsuccessful planning applications.

While the applicant has confirmed that she has an insurance quote from the NFU for the consideration of the building as three bedroom home, which she believes shows the insurance industry does not consider the flood risk is of a serious concern, this fails to take into account the policy advice based on scientific study offered through TAN 15 and NRW. Also, the insurance industry has a duty to insure houses that already exist within C2 flood zones such as those in Campbell Road already, whereas the stated national planning policy and guidance seeks to avoid creating new risks in such areas.

While it is acknowledged that the applicant has submitted a supplementary document to the FCA that proposed a number of measures that seek to address the flood risk concern, these have been scrutinised by NRW who in their response state that they "...maintain our

objection to the proposed development and recommend that planning permission is refused as our concerns regarding flood risk to the site cannot be overcome by modifications to the proposed scheme or by planning conditions.”

They also advise that although a supplementary advice note has been submitted in addition to a flood consequences assessment, this note only seeks to compare the current application with other decisions across Wales. *“We would advise that each planning application should be discussed and assessed on its own merits and we would not accept a comparison of sites as a reason to recommend a no objection to a proposal.*

We refer your authority to the appeal decision reached by the Planning Inspectorate on 19 October 2015 in which it was concluded that the appeal should be dismissed due to concerns over flood risk.”

In terms of flood risk NRW advise that the site lies within Planning Policy Wales, Technical Advice Note 15 (TAN15) Development Advice Map Zone C2.

Policy SP2 of the Adopted Carmarthenshire Local Development Plan (LDP) (2014) requires that development proposals in areas at risk from flooding are resisted unless they accord with the provisions of TAN 15.

Moreover, TAN 15 in paragraph 6.2 explains that highly vulnerable development should not be permitted in a C2 zone. The proposal would therefore be contrary to LDP Policy SP2 and national policy. In the 2015 appeal, the Inspector was satisfied that the existing use as a chapel was classed correctly as a less vulnerable development and that the residential use is correctly classed as highly vulnerable development, thus making the residential conversion of the building non-compliant with TAN 15.

As mentioned briefly above, as there is a bat roost in the building, an EPS NRW Licence will be required to do the works to disturb the bats. Prior to the granting of planning permission, NRW should state whether they are likely to grant a Licence based on the information submitted within the application. However, they have not done so for this application given the fundamental objection regarding flood risk.

As the site is clearly contrary to policies SP2 and TAN15 and there is no material evidence submitted to outweigh the policy objection, this application is recommended for refusal.

While the need to safeguard the future of an unlisted heritage asset is a material planning consideration, it is in this instance outweighed by the risk to life highlighted by NRW arising from flood risk, that has formed the basis of each of the previous planning refusals and has been upheld at an appeal against a broadly similar refusal in October 2015. It is concluded, on balance, that planning permission should be refused.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy SP2 of the Carmarthenshire Local Development Plan, which states:

SP2 Climate Change

Development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. In particular proposals will be supported where they:

- a) Adhere to the waste hierarchy and in particular the minimisation of waste;**
- b) Promote the efficient consumption of resources (including water);**
- c) Reflect sustainable transport principles and minimise the need to travel, particularly by private motor car;**
- d) Avoid, or where appropriate, minimise the risk of flooding including the incorporation of measures such as SUDS and flood resilient design;**
- e) Promote the energy hierarchy by reducing energy demand, promoting energy efficiency and increasing the supply of renewable energy;**
- f) Incorporate appropriate climate responsive design solutions including orientation, layout, density and low carbon solutions (including design and construction methods) and utilise sustainable construction methods where feasible.**

Proposals for development which are located within areas at risk from flooding will be resisted unless they accord with the provisions of TAN 15. Strategic Objective Supported:

O1, SO2, SO4, SO5 and SO1

- In that the proposed conversion of the former chapel building to a dwelling would convert a D1 use (less vulnerable development) to a C3 residential use (highly vulnerable development) within a C2 Flood Zone as defined in the Development Advice Maps (DAM) issued in association with TAN 15. Despite the proposed raising of the internal floor levels of the building 750mm, based upon hydraulic modelling at this location, the chapel will become surrounded by floodwater with depths up to approximately 600mm and 1m during the 1% plus climate change and 0.1% scenarios respectively. In addition, the velocities across the site exceed 0.45m/s during both scenarios. Whilst the built development may remain flood free, the site as a whole does not comply with Tables A1.14 and A1.15 in TAN 15 given the significant depths of water and velocities shown to occur. The hydraulic model also does not include the potential impact should the bridges upstream and downstream of the site become blocked; therefore, there may be an increase in flood risk to the site as a result. In addition, access to the site is shown not to be compliant with Table A1.15. Depths greater than 600mm are shown at the junctions with Campbell Road and velocities along the length of Campbell Road are greater than 0.45m/s.
- As such, the proposal in an area at risk of flooding fails to accord with the provisions of TAN 15.

2 The proposal is contrary to Paragraph 6.2 of the TAN 15, which states:

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.

- In that the proposed conversion of the former chapel building to a dwelling would convert a D1 use (less vulnerable development) to a C3 residential use (highly vulnerable development) within a C2 Flood Zone as defined in the Development Advice Maps (DAM) issued in association with TAN 15. Despite the proposed raising of the internal floor levels of the building 750mm, based upon hydraulic modelling at this location, the chapel will become surrounded by floodwater with depths up to approximately 600mm and 1m during the 1% plus climate change and 0.1% scenarios respectively. In addition, the velocities across the site exceed 0.45m/s during both scenarios. Whilst the built development may remain flood free, the site as a whole does not comply with Tables A1.14 and A1.15 in TAN 15 given the significant depths of water and velocities shown to occur. The hydraulic model also does not include the potential impact should the bridges upstream and downstream of the site become blocked; therefore, there may be an increase in flood risk to the site as a result. In addition, access to the site is shown not to be compliant with Table A1.15. Depths greater than 600mm are shown at the junctions with Campbell Road and velocities along the length of Campbell Road are greater than 0.45m/s.
- As such, the proposal in an area at risk of flooding fails to accord with the provisions of TAN 15.

This page is intentionally left blank

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

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

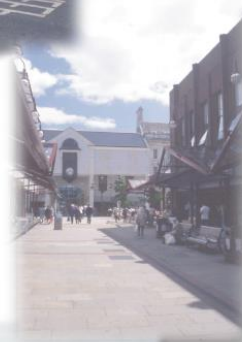
**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 21 MEDI 2017
ON 21 SEPTEMBER 2017**

**I'W BENDERFYNU/
FOR DECISION**

***Ardal De/
Area South***



**Cyngor Sir Gâr
Carmarthenshire**
County Council

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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	21 SEPTEMBER 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
S/33277	Residential development at land adjoining Maretta, Five Roads, Llanelli, SA15 5YT
S/35823	Demolition of the existing dwelling (Hen Goitre) and construction of 1 no 4 bedroom two storey detached dwelling at Hen Goitre, Hendy, Llanelli, SA4 0YQ
S/35875	Residential development - revised outline planning for 3 detached dwellings (resubmission of S/33484 - appeal refused 25/11/16) at land adjacent to Hen Soar Fach, Mynachlog Road, Pontyberem, Llanelli, SA15 5EY

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
S/35189	Siting of two detached dwelling houses at land at former Cwmblawd Sawmills, Llannon Road, Pontyberem, Llanelli, SA15 5NB

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/33277
-----------------------	----------------

Application Type	Outline
Proposal & Location	RESIDENTIAL DEVELOPMENT AT LAND ADJOINING MARETTA, FIVE ROADS, LLANELLI, SA15 5YT

Applicant(s)	A COSIMETTI, 6 CLOS-Y-PARC, FIVE ROADS, LLANELLI, SA15 5HB
Agent	JCR PLANNING LTD - RICHARD BANKS, 43 POTTERY STREET, LLANELLI, CARMARTHENSHIRE, SA15 1SU
Case Officer	Gary Glenister
Ward	Glyn
Date of validation	29/01/2016

CONSULTATION

Head of Transport – Has no objection subject to the imposition of appropriate conditions.

Head of Social Care, Health and Housing – States that in this particular case, the local housing needs are best served by securing an offsite contribution equivalent to 20% affordable housing rather than on site provision.

Llanelli Rural Council – Has no objection provided that access is via Clos Y Parc to the rear, in the interests of highway safety.

Local Member – County Councillor T J Jones has not commented to date.

Dwr Cymru / Welsh Water – has no adverse comments.

Neighbours/Public – The application has been advertised by the posting of 2 No Site Notices with 3 No representations received to date raising the following matters.

- Highway & Pedestrian Safety
 - There should be no access onto Heol Hen
 - Parking on the road is unacceptable
 - Frontage plots should be open space
 - There should be a mini roundabout at the entrance
- Residential amenity

- Noise
- Disturbance
- Over development of the village
- Lack of village facilities
- Lack of Consultation

RELEVANT PLANNING HISTORY

The following applications have been received on the application site.

S/25584	Residential Development Outline Granted Sec106 Signed Commuted Sum/Open Space/ Affordable Housing / Education.	19 August 2013
D5/14824	Overhead Lines Approved	03 September 1992
D5/5954	Overhead Lines Approved	02 November 1981
D5/814	Bungalow and Garage Approved	19 May 1975

APPRAISAL

THE SITE

The application site is a 0.97ha parcel of land within the settlement limits of Five Roads and allocated for housing in the Local Development Plan.

The site extends from the B4309 up to the rear of the estate known as Clos y Parc and wraps around the rear of the bungalow known as Maretta. The site is Greenfield and is currently used for grazing donkeys. The site slopes down gently from the rear of Clos y Parc to the main road.

The site is adjacent to the recreation ground so has good access to local play facilities. The site is bounded by a mix of hedgerow and a fence across the road frontage.

THE PROPOSAL

The application seeks outline permission to establish the principle of residential development on the site, along with a means of access off the B4309.

An indicative layout and access has been submitted showing 20 plots accessed off a new entrance from the B4309. There are several design issues with the indicative plan which the applicant is aware of, however it gives an indication that the site is suitable for development without adverse impacts on third parties. It should be noted that the description does not specify the number of units.

The indicative plan shows a mix of detached and semi detached houses on the site with frontage development along the B4309 served by rear parking and a cul de sac to the rear.

The proposal includes a financial contribution in lieu of onsite affordable housing and a parcel of land adjacent to the school which will be transferred to the Council in lieu of open space and education contributions. An agreement under Section 106 of the Town and Country Planning Act has been prepared and will be signed prior to the grant of any planning permission.

PLANNING POLICIES

In the context of the current development control policy framework the site is within the settlement development limits of Five Roads as defined in the Carmarthenshire Local Development Plan (LDP) adopted December 2014 and allocated for housing.

Policy GP1 Sustainability and High Quality Design states.

Development proposals will be permitted where they accord with the following:

- a) It 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;**
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) Utilises materials appropriate to the area within which it is located;**
- d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;**
- e) Includes an integrated mixture of uses appropriate to the scale of the development;**
- f) It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;**
- g) It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well lit environments and areas of public movement);**
- h) An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;**
- i) It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;**

- j) It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k) It has regard to the generation, treatment and disposal of waste.
- l) It has regard for the safe, effective and efficient use of the transportation network;
- m) It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Policy AH1 Affordable Housing states:

A contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford / Cross Hands sub-market areas.

Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

On Site Contributions

The affordable housing will be required to be provided on proposals of 5 or more dwellings in all settlements. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the above threshold, the Council will seek an element of affordable housing based on the affordable housing target percentages set out above.

Proposals will be required to ensure that the dwelling remains affordable for all subsequent occupants in perpetuity.

Commuted Sums

Where an open market residential site falls below the above thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq.m).

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 9 November 2016 and TAN12: Design (2016)).

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 provides the following guidance.

Paragraph 4.11.1 states: *“Design is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the*

development, including its construction, operation and management, and its relationship to its surroundings“

Paragraph 4.11.2 states *“Good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help to attract business and investment, promote social inclusion and improve the quality of life. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals. These objectives can be categorised into five key aspects of good design:”*

Paragraph 4.11.3 states *“The design principles and concepts that have been applied to these aspects should be reflected in the content of any design and access statement required to accompany certain applications for planning permission and listed building consent which are material considerations.”*

Paragraph 4.11.4 states *“Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and provides buildings and environments that are convenient and enjoyable to use for everyone (see Section 3.4).”*

Paragraph 4.11.8 states *“Good design is essential to ensure that areas, particularly those where higher density development takes place, offer high environmental quality, including open and green spaces. Landscape considerations are an integral part of the design process and can make a positive contribution to environmental protection and improvement, for example to biodiversity, climate protection, air quality and the protection of water resources.”*

Paragraph 4.11.9 states *“The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.”*

Paragraph 2.2 of Technical Advice Note 12 Design (March 2016) states:

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (March 2016) states:

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

2.7 A holistic approach to design requires a shift in emphasis away from total reliance on prescriptive standards, which can have the effect of stifling innovation and creativity. Instead, everyone involved in the design process should focus from the outset on meeting a series of objectives of good design (Figure 1). The design response will need to ensure that these are achieved, whilst responding to local context, through the lifetime of the

development (from procurement to construction through to completion and eventual use). This analysis and the vision for a scheme can be presented in a design and access statement where one is required.

THIRD PARTY REPRESENTATIONS

There is third party concern over highway and pedestrian safety from the proposed development.

Access is being considered along with the principle of the development and this is proposed from the B4309. No access is proposed to Heol Hen via Clos y Parc and as access is being considered as part of this application, there is no prospect of access being gained via the existing estate. The merits of the scheme have been considered by the Head of Transport who has no objection subject to the imposition of appropriate conditions. Llanelli Rural Council has no objection provided access is via Clos y Parc, however this contradicts the neighbour objection and would see an increase in traffic through a residential area with limited width due to parked vehicles.

There is concern over parking on the road which would be unacceptable. Reference is drawn to the nearby estate known as Llygad y Ffynnon which has generated on street parking. (In Llygad y Ffynnon, adequate parking has been provided off-street to the rear, however traffic management is required to preclude parking on the road). It should be noted that the layout is indicative and would be subject to the submission of reserved matters, so detailed consideration of parking will take place at that time. In terms of design, frontage development to continue the village form would be desirable rather than development backing on to the road. The Head of Transport will be consulted at reserved matters stage to ensure the final design is acceptable.

There are calls for the frontage plots to be open space. It is however noted that the site is adjacent to the recreation ground so further open space is not required. The site will facilitate the extension of the school which

There are calls for a mini roundabout at the entrance, however this has not been requested by highways. A roundabout would have a more urbanising impact on the rural village than a priority junction so would not be requested unless it is needed for highway safety.

There is concern that building work in the village would result in a loss of residential amenity through noise and disturbance. Whilst there is a degree of disruption during construction, this is not a permanent source of noise so this is not considered likely to adversely affect third parties.

The site is allocated for residential development in the Local Development Plan so forms part of the County's housing strategy for the village. The layout is indicative and would need some amendment, however in principle, it demonstrates that the site can be developed appropriately and does not constitute over development of the village.

The village has a school, pub, chapel and community centre, so whilst the post office has recently closed, it still has a reasonable amount of community facilities to serve the site. The site is therefore considered to be in a sustainable location.

The application has been publicised by site and press notices. This is in excess of the statutory requirements for a minor development, so whilst individual letters have not been sent out, the neighbouring properties were made aware of the application.

CONCLUSION

After careful consideration of the site and surrounding environs, on balance, it is considered that the site is an undeveloped parcel of land within settlement limits and allocated for housing. The site forms a continuation of the built frontage along the B4309 and has a cul de sac to the rear which backs onto Clos Y Parc. It is therefore an appropriate infilling of the village form.

The following heads of terms have been agreed for the requisite Section 106 Legal Agreement that has been prepared.

Affordable Housing – an off site contribution equivalent to 20% provision.

Open Space & Education – The site owner has a parcel of land adjacent to the school which is proposed to be transferred to the Council to facilitate the extension of the school and form a community sports facility. This is considered acceptable in lieu of a financial contribution towards both Education and Open Space.

The proposed development is within settlement development limits and is not likely to have an unacceptable adverse impact on third parties or highway safety, therefore is considered to be in accordance with the above policies. The recommendation is subject to the signing of the Section 106 agreement to secure the above heads of terms.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
 - a) the expiration of five years from the date of this outline planning permission;
 - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 2 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 3 Development shall not commence until detailed plans of the layout, appearance and landscaping of the development, together with the means of access thereto, have been submitted to and been approved in writing by the Local Planning Authority.
- 4 The land subject to this permission is as identified on the 1:2500 plan dated 10 December 2015 (The 1:500 scale plan is strictly indicative).

- 5 Detailed cross sections indicating finished floor and ridge levels compared to the highway and existing/proposed ground levels shall be included in any reserved matters application,
- 6 Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.0 metre carriageway, 1.8 metre footways, and 8 metre kerbed radii at the junction with the B4309 road.
- 7 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 8 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole B4309 Road frontage within 2.4 metres of the near edge of the highway.
- 9 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities 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. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 10 Prior to the occupation of any of the dwellings herewith approved, the required access roads 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.
- 11 The dwellings shall be connected up to the public main sewer only and shall not utilize any private means of drainage.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 The application is in outline only.
- 3-5 In the interests of visual amenity.
- 6-10 In the interests of highway safety.
- 11 The site is in a sewered area.

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.

The proposed development complies with Policy SP1, GP1, GP2 & H2 of the LDP in that it is sensitive infilling within the settlement development limits on an allocated site which is appropriate in scale and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.

The proposed development complies with Policies TR2 and TR3 in that the proposal is not likely to be detrimental to highway safety.

The proposed development complies with Policy AH1 in that the purchaser has agreed to enter into a Section 106 agreement to provide off site contributions equivalent to 20% affordable housing in order to satisfy the local housing need for affordable housing.

NOTES

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

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

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

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

- 3 The applicant/developer's attention is drawn to the requirement to enter into an agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an offsite contribution equivalent to 20% affordable housing and the transfer of a parcel of land adjacent to the school in lieu of open space and education contributions.

Application No	S/35823
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	DEMOLITION OF THE EXISTING DWELLING (HEN GOITRE) AND CONSTRUCTION OF 1 NO 4 BEDROOM TWO STOREY DETACHED DWELLING AT HEN GOITRE, HENDY, HENDY, LLANELLI, SA4 0YQ

Applicant(s)	RHYS BEYNON-THOMAS, HEN GOITRE, HENDY, HENDY, LLANELLI, CARMARTHENSHIRE, SA4 0YQ
Agent	IAGO CYMRU, GETHIN LLOYD JAMES BA.(HONS) ARCH. MCIAT, TROED Y BRYN, LLANARTHNE, CARMARTHEN, SA32 8JE
Case Officer	Paul Roberts
Ward	Llangennech
Date of validation	14/07/2017

CONSULTATIONS

Local Member - County Councillors GR Jones and G Thomas have not commented on the application to date.

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

Coal Authority – Have not commented on the application to date.

Natural Resources Wales - Have raised no objection to the application.

Neighbours/Public – The application has been publicised with the posting of a site notice within the vicinity of the site. In response, no third party letters of representation have been received to date.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

THE SITE

The application site consists of the curtilage of a detached dwelling located in a countryside location to the north of the village of Llangennech. The dwelling forms part of a larger land holding of some 2 hectares which includes a neighbouring field enclosure and large agricultural building and associated hardstanding areas. It is located on the western flank of an unclassified county road with the eastern side elevation of the dwelling being contiguous with the roadway. The house is currently vacant and in a poor state of disrepair.

The dwelling is of a two storey construction with a traditional pitched roof form. It is orientated in a southerly direction and has a number of single storey projections to its front, side and rear elevations. It has the benefit of a front driveway which is accessed via the large hardstanding area located between the house and the agricultural building.

THE PROPOSAL

The application seek full planning permission for the demolition of the existing dwelling and replacement with a new four bedroom detached dwelling. The new dwelling is to be located immediately to the south west of the position of the existing house away from the roadway and adjacent to the hardstanding area and the footprint of a detached garage that has recently been demolished.

The dwelling is to be of a two storey construction and will be orientated in a south easterly direction towards the roadway. It is to have a pitched roof with the front elevation being characterised by a centrally located gable feature. Externally, the dwelling will consist of a mix of stone and rendered elevations with the roof being clad in grey slates. The house will utilise the existing access onto the roadway with a parking and turning area being provided in its front forecourt area. The finished level of the house is to be comparable with the existing ground albeit the proposal will involve some lowering of the existing ground levels to the rear of the house to lower the gradient of the garden space.

The application has been accompanied by a coal mining risk assessment which confirms there is a low risk of past coal mining activity within the site. A bat survey of the house has also been provided which confirms the presence of a small population of bats in the attic space. As such, the survey includes a method statement which sets out a series of measures to mitigate the impact of the development upon the bat population. These include the provision of new bat roosts within the new dwelling.

PLANNING POLICY

In the context of the Authority's current Development Plan the application site is located in the countryside outside the development limits of settlements defined in the Local Development Plan. The following policies are of relevance to the proposal.

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

Policy H4 relates to proposals for replacement dwellings outside the development limits of settlements defined in the Plan. Proposals are permitted subject to a number of qualifying criteria which include the need for the new dwelling to be located on the footprint of the existing dwelling, unless an alternative location within the existing curtilage brings significant environmental, landscape or visual improvements. Furthermore, the policy requires that the design and materials of the new dwelling are appropriate to the character and appearance of the area and the scale is not disproportionate in size to the existing dwelling. Proposals should also have no adverse effect on access, parking, utility services and local amenity as well as nature conservation and historic interests. Finally, the policy requires that the existing dwelling be demolished immediately prior to, or upon, its replacement.

Policy EQ4 relates to biodiversity and 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 (ie 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.

THIRD PARTY REPRESENTATIONS

No third party letters of representation have been received to date. The application is presented to Committee for a decision on the basis that the applicant is related to a County Councillor who is a member of the Planning Committee.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to represent an acceptable form of residential development that will be in keeping with and complement the general character and appearance of the surrounding area.

Although the new dwelling will not be constructed on the footprint of the existing house it will nevertheless be constructed within its curtilage and close to the existing hardstanding area and access. The relocation of the dwelling away from the roadway will provide amenity benefits to the occupiers by way of minimising the impact of passing traffic. Moreover, the demolition of the existing house will provide visibility improvements along the roadway given its current location contiguous with side of the road and close to a bend.

Turning to the scale of design of the proposal, whilst the new house will be larger than the existing property, it will not be disproportionate in size nor be discordant with the character and appearance of the surrounding rural area. The high quality design and finish of the house will improve the site's current unkempt appearance in the wider area while addressing significant structural deficiencies in the existing house by constructing a new dwelling constructed to modern building standards. Furthermore, the new dwelling will utilise the existing access and incorporate adequate parking facilities thereby ensuring there will be no unacceptable highway impacts.

With regard to the presence of bats in the existing house, Natural Resources Wales have been consulted on the method statement detailing the mitigation measures proposed and have raised no objection subject to the imposition of a condition securing their

implementation. The permission granted will therefore be conditioned in accordance with this advice. Members should be aware that given the presence of bats in the existing house, its demolition will require derogation in the form of a licence from Natural Resources Wales. Before such a licence can be granted, the following three tests must be satisfied.

- (i) there is 'no satisfactory alternative' to the derogation
- (ii) the derogation is 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'.
- (iii) The derogation is 'in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'.

In considering the application, the Authority must be satisfied that the three tests can be met. With regard to the first and third tests, the proposed new dwelling will replace an existing vacant property which is in a poor state of disrepair with significant structural deficiencies. The development will replace the existing substandard house with a new dwelling constructed to modern building standards while at the same time providing for the long term accommodation needs of the applicants.

With regard to the second test, the application has been accompanied by detailed mitigation measures and method statement which have been designed to ensure the works proposed do not adversely affect the conservation status of the bats within the existing building. The details submitted have been assessed by Natural Resources Wales who have confirmed their acceptance of the proposals and are satisfied that the proposal will not be detrimental to the conservation status of the bat population.

In light of the foregoing, the proposal is considered to accord with the objectives of the abovementioned policies and is therefore presented with a recommendation for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the details shown on the following schedule of plans :
 - Block and Location Plan (PA/03) received on 31 August 2017.
 - Site Sections (PA/04) received on 31 August 2017.
 - Proposed Elevations (PA/02) received on 7 July 2017.
 - Proposed Elevations and Floor Plans (PA/01) received on 7 July 2017.
 - Bat Survey Report entitled Hen Goitre, Hendy, Carmarthenshire, SA4 0YQ received on 7 July 2017.
- 3 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the details 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.

- 4 No development shall commence until details indicating the positions, height, design, materials and type of boundary treatment to be erected have been submitted to and approved by the local planning authority. The boundary treatment shall be completed in accordance with the approved details prior to the occupation of the dwelling.
- 5 The development shall be implemented strictly in accordance with the Method Statement contained in the Bat Survey Report entitled Hen Goitre, Hendy, Carmarthenshire, SA4 0YQ received on 7 July 2017.
- 6 The existing dwelling known as 'Hen Goitre' as shown on the Block and Location Plan (PA/03) received on 31 August 2017 shall be demolished and removed from the site prior to the beneficial occupation of the new dwelling hereby approved.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out
- 3 In the interests of highway safety.
- 4 & 6 In the interests of visual amenity.
- 5 In order to ensure that there is no detriment to the maintenance of the favourable conservation status of the Bat species present.

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).

Application No	S/35875
-----------------------	----------------

Application Type	Outline
Proposal & Location	RESIDENTIAL DEVELOPMENT - REVISED OUTLINE PLANNING FOR 3 DETACHED DWELLINGS (RESUBMISSION OF S/33484 - APPEAL REFUSED 25/11/16) AT LAND ADJACENT TO, HEN SOAR FACH, MYNACHLOG ROAD, PONTYBEREM, LLANELLI, SA15 5EY

Applicant(s)	JEFF THOMAS, 17 PARC Y MYNACH, PONTYBEREM, CARMARTHENSHIRE,
Agent	PRIME ARCHITECTURE LTD - CELLAN JONES, UNIT 4, 3 LLANDEILO ROAD, CROSS HANDS, LLANELLI, SA14 6NA
Case Officer	Gary Glenister
Ward	Pontyberem
Date of validation	25/07/2017

CONSULTEES

Head of Transport – Has no objection subject to the imposition of appropriate conditions.

Pontyberem Community Council – Has not commented to date.

Local Members - County Councillor Liam Bowen is a member of the Planning Committee and has made no prior comment.

Natural Resources Wales – States that the Afon Berem as it is classed as a minor watercourse, however there is no objection subject to the imposition of an appropriate condition requiring a method statement for site clearance.

Dwr Cymru/Welsh Water - Foul and surface water discharge must be drained separately from the site and no surface water drainage shall be allowed to connect to the public sewer.

Neighbours/Public - The application has been publicised by the posting of two Site Notices and 3 No. responses have been received as a result raising the following matters:

- Highway Safety
 - Traffic generation
 - Queries of Parking – Will residents parking be grass? Will residents be charged for parking?

- Access visibility
- There should be a “One Way” system
- Road alignment
- Privacy / Amenity
- Human Rights Act.
- Trees / Biodiversity
- Sewerage/Drainage
- Ground Stability

RELEVANT PLANNING HISTORY

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

S/33484	The construction of a detached three bed bungalow and two three bed detached units. Outline Refused Appeal Dismissed	6 May 2016 25 November 2016.
D5/3888	Residential Development Outline Granted	17 May 1979
D5/1507	Residential Development Outline Granted	26 April 1976

APPRAISAL

THE SITE

The site is a 0.18ha linear parcel of land running along Mynychlog Road, opposite an estate known as Parc y Mynach. The land has several garages and outbuildings present on the site and there is a vehicular access to serve them.

The site has a road frontage of approximately 70m and lies below the level of the road and falls away towards a water course known as Afon Berem at the rear which is in a deep cutting. There is a well established hedge along most of the road frontage, but most of the site which is not developed is laid to grass.

There is a converted chapel to the north east which is in residential use and a bungalow to the south west beyond which a terrace of houses is under construction. There are four houses opposite set at a significantly higher ground level overlooking the site and they have no rear access which would allow off street parking.

The site is accessed via a single track road, however it should be noted that it widens along part of the road frontage and is used as the sole and unrestricted parking area for the four houses opposite.

A similar proposal was refused under delegated powers in 2016. The applicants went to appeal and this was dismissed on the grounds of highway safety. The applicants have subsequently amended the scheme to address the issues on which it was refused / dismissed. In particular, the provision of car parking for local residents is considered to be a significant highway safety improvement.

The other issues for refusal / dismissal were related to lack of information in respect of ecology, however this has been addressed through the submission of further information with this application.

The appeal submission included a legal agreement for affordable housing to satisfy the requirements of Policy AH1. It is noted that in this area, the requirement is £51.35 per square metre internal floor area.

THE PROPOSAL

The application seeks outline planning permission with all matters reserved. An indicative plan shows a detached bungalow and two detached houses on the site along with a parking area for the residents of the houses opposite the site.

Three individual accesses are proposed to serve the three units and a further access for the parking area which replaces the current access to the garages. The indicative plan also shows a 1.8m highway improvement line to allow the formation of a pavement.

Cross sections have been submitted showing the sloping nature of the site and the amount of ground works that are necessary.

The application has been accompanied by ecological reports as requested previously, given the location adjacent to the stream and the presence of garages on the site which will have to be demolished.

Given the linear nature of the site and the 7m buffer zone along the river, the usable garden area to the rear of the units is relatively modest. However it is noted that there are side parking / garden areas and the total amenity area is considered to be acceptable albeit no development including fencing can be built within the buffer zone to the rear as it would need to be kept clear of all development. The appeal inspector did not dismiss the proposal on the basis of the general layout that was similar, therefore it is considered to be acceptable.

PLANNING POLICY

In the context of the current development control policy framework the site is within the settlement development limits of Pontyberem as defined in the Carmarthenshire Local Development Plan (LDP) adopted December 2014.

Policy GP1 Sustainability and High Quality Design states.

Development proposals will be permitted where they accord with the following:

- a) It 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;**
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) Utilises materials appropriate to the area within which it is located;**

- d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e) Includes an integrated mixture of uses appropriate to the scale of the development;
- f) It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- f) It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);
- g) An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;
- h) It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- i) It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- j) It has regard to the generation, treatment and disposal of waste.
- l) It has regard for the safe, effective and efficient use of the transportation network;
- m) It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Policy AH1 Affordable Housing states:

A contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub-market areas.

Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

On Site Contributions

The affordable housing will be required to be provided on proposals of 5 or more dwellings in all settlements. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the above threshold, the Council will seek an element of affordable housing based on the affordable housing target percentages set out above.

Proposals will be required to ensure that the dwelling remains affordable for all subsequent occupants in perpetuity.

Commuted Sums

Where an open market residential site falls below the above thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq.m).

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 9 November 2016 and TAN12: Design (2016)).

Policy TR3 Highways in Developments - Design Considerations states

The design and layout of all development proposals will, where appropriate, be required to include:

- a) An integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport;**
- b) Suitable provision for access by public transport;**
- c) Appropriate parking and where applicable, servicing space in accordance with required standards;**
- d) Infrastructure and spaces allowing safe and easy access for those with mobility difficulties;**
- e) Required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced;**
- f) Provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run off from the highway.**

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 EQ4 Biodiversity states

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, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that:

- a) The impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements;**
- b) There are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.**

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 provides the following guidance.

Paragraph 4.11.1 states: “Design is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings“

Paragraph 4.11.2 states “Good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help to attract business and investment, promote social inclusion and improve the quality of life. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals. These objectives can be categorised into five key aspects of good design:”

Paragraph 4.11.3 states “The design principles and concepts that have been applied to these aspects should be reflected in the content of any design and access statement required to accompany certain applications for planning permission and listed building consent which are material considerations.”

Paragraph 4.11.4 states “Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and provides buildings and environments that are convenient and enjoyable to use for everyone (see Section 3.4).”

Paragraph 4.11.8 states “Good design is essential to ensure that areas, particularly those where higher density development takes place, offer high environmental quality, including open and green spaces. Landscape considerations are an integral part of the design

process and can make a positive contribution to environmental protection and improvement, for example to biodiversity, climate protection, air quality and the protection of water resources.”

Paragraph 4.11.9 states “The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.”

Paragraph 2.2 of Technical Advice Note 12 Design (March 2016) states:

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (March 2016) states:

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

2.7 A holistic approach to design requires a shift in emphasis away from total reliance on prescriptive standards, which can have the effect of stifling innovation and creativity. Instead, everyone involved in the design process should focus from the outset on meeting a series of objectives of good design (Figure 1). The design response will need to ensure that these are achieved, whilst responding to local context, through the lifetime of the development (from procurement to construction through to completion and eventual use). This analysis and the vision for a scheme can be presented in a design and access statement where one is required.

THIRD PARTY REPRESENTATIONS

Highway safety is of concern given the narrowness of the road and existing parking. The road is narrow and there is currently on street parking for four dwellings along the road frontage. The applicant went to appeal on the previous scheme and lost, so has amended the scheme with the inclusion of a residents parking area and a highway improvement line. This is considered to be a significant improvement over the previous scheme and is a material consideration.

Queries have been raised over the residents parking area. It is agreed that if grassed, there may be difficulty given the sloping nature of the land. The applicant has stated that it is intended to use block paving which would allow for a hard standing parking area. The Head of Transport has recommended a condition seeking full details to be submitted of the parking area, that it is formed prior to commencement of other development and that it is retained in perpetuity.

The calls for a one way system are impractical given the alternative route would be via a residential housing estate. Any increase in traffic is not therefore considered desirable. The proposal includes measures that would remove on street parking and therefore allow

realignment to allow vehicles to pass along the site frontage. This is in itself a highway safety improvement.

Privacy / Amenity is of concern as there are houses opposite. It is however noted that the properties opposite are elevated compared with the proposal so it is likely that given the ground levels, the existing houses would overlook the site rather than vice versa. Given the differences in levels and separation distances, the proposal is not likely to have an unacceptable adverse impact on third parties.

The Human Rights Act is addressed as the impact on amenity is assessed as part of the planning process. In this case, the impact is not considered likely to be unacceptable.

Trees along the watercourse are within the buffer zone so are not likely to be affected.

Sewerage/Drainage has been assessed by Welsh Water who do not have any adverse comments.

Ground Stability is of a concern to third parties given the houses opposite are at a higher level and there is fear that excavating below will destabilise the land. There is however a reasonable separation distance with a road between. It is noted that the site is primarily outside the high risk consultation zone for coal mining – only part of the undevelopable buffer zone along the stream lies are within, however this needs to be left undisturbed. Any damage to third party property is a private matter which would need to be addressed by the applicant.

CONCLUSION

The site is within the settlement limits of Pontyberem so the principle of development is acceptable provided all other material considerations can be met. Planning permission was refused in 2016 and the site was subject to an appeal. The applicant has addressed the issues that led to the previous application being refused and appeal dismissed, so it is considered to be acceptable infilling within the village, subject to the applicant entering into a legal agreement for the affordable housing contribution. In this case, the contribution would be £51.35 per square metre internal floor area. The recommendation is therefore seeking a resolution to approve subject to an acceptable legal agreement being signed.

On balance, the applicant has demonstrated that the site can be developed without detriment to highway and pedestrian safety and the amenities of third parties. Therefore the application is recommended for approval subject to the Section 106 Agreement.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
 - a) the expiration of five years from the date of this outline planning permission;

- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 2 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
 - 3 Development shall not commence until detailed plans of the layout, appearance and landscaping of the development, together with the means of access thereto, have been submitted to and been approved in writing by the Local Planning Authority.
 - 4 The land subject to this permission is as identified on the ___ plan dated ___.
 - 5 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5.0 metres from the near edge of carriageway.
 - 6 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 Mynachlog Road (U2275) frontage within 2.4 metres of the near edge of the carriageway.
 - 7 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities within the resident parking area, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to commencement of any other part of the development and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
 - 8 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 plots 1-3, 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.
 - 9 Prior to the commencement of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the entire site frontage with the Mynachlog Road (U2275) and connect with the existing footway to the south. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.
 - 10 Any reserved matters application shall be accompanied by a method statement requiring the sensitive clearance of any vegetation, and replacement planting to ensure habitat availability and the continuity of the habitat corridor along the river.
 - 11 The trees/hedgerow around the application site's boundary shall be protected for the duration of the construction period following guidelines in BS5837 2005 (Trees in relation to construction) as follows and shall thereafter be retained in perpetuity:
 - An exclusion zone is to be identified by the Authority and agreed in writing **prior** to start of works.

- Any arboricultural works that are required in pursuance of given planning permission eg. to form access way etc - to be undertaken by suitably qualified professionals before the erection of protective barriers.
- Following any necessary arboricultural works all trees to be retained to be protected by permanent non moveable barriers. In light of previous experience with chestnut paling the barriers should consist of 2.9 m scaffolding poles sunk 0.6 metres into the ground. Steel mesh should then be secured to the scaffold frame to adequately shield the trees from machinery.
- The protective barrier is to remain until written permission is given by this Authority for its removal.
- Absolutely no materials are to be stored at any time within the agreed exclusion zone.
- Arboricultural works and erection of protective barriers is to be supervised /inspected prior to start of any development

12 A minimum buffer strip of 7 metres must remain undisturbed between any development activity and the bank of the water course. The buffer zone shall be without structures, hard standings, footpaths, fences, overhanging development or formal landscaping.

13 Any reserved matters application shall be accompanied by full details of external wall and roof materials along with means of enclosure.

REASONS

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

2 The application is in outline only.

3,4,

13 In the interests of visual amenity.

5-9 In the interests of highway safety.

10-12 In the interests of biodiversity.

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.

The proposed development complies with Policy SP1, GP1, GP2 & H2 of the LDP in that it is sensitive infilling within the settlement development limits which is appropriate in scale

and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.

The proposed development complies with Policies TR2 & TR3 in that the proposal is not likely to be detrimental to highway safety.

The proposed development complies with Policy AH1 in that the applicant has agreed to enter into a Section 106 agreement to provide an affordable housing contribution.

NOTES

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

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

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

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

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk)
- 3 The applicant/developer's attention is drawn to the requirement to enter into an agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £51.35 per square metre internal floor area.

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	S/35189
-----------------------	----------------

Application Type	Outline
Proposal & Location	SITING OF TWO DETACHED DWELLING HOUSES AT LAND AT FORMER CWMBLAWD SAWMILLS, LLANNON ROAD, PONTYBEREM, LLANELLI, SA15 5NB

Applicant(s)	MR DHA LEWIS, 17A HEOL Y BRYN, PONTYBEREM, LLANELLI, CARMARTHENSHIRE, SA15 5AG
Agent	SAURO ARCHITECTURAL DESIGN LTD - MR PETER SAURO, 9 ELLISTON TERRACE, CARMARTHEN, SA31 1HA
Case Officer	Gary Glenister
Ward	Pontyberem
Date of validation	27/02/2017

CONSULTATION

Head of Transport – Recommends refusal on the grounds of highway safety.

Pontyberem Community Council – has not commented on the application to date.

Local Members – (Former) County Councillor JS Williams was a member of the Planning Committee. She asked for the application to be considered at Committee and subsequently supported it as the land has been maintained by the family since the mill closed and there is historic permission for a dwelling.

Dwr Cymru / Welsh Water – states that there is no mains sewerage so details of drainage should be submitted prior to commencement of development.

Neighbours/Public – Four neighbouring properties have been consulted on the original submission and site notices posted as part of a departure re-consultation, with no responses received to date.

RELEVANT PLANNING HISTORY

The following applications have been received on the application site.

D5/14103	Two Houses	
	Outline Planning Permission Refused	30 September 1991

APPRAISAL

The application was originally reported to Planning Committee on the 6th April 2017. Planning Committee deferred the determination and carried out a Site Visit on the 19th April 2017. After visiting the site, Committee ***“RESOLVED that consideration of planning application S/35189 be deferred to enable discussions to take place with the applicant on the policy requirement that a financial contribution be forthcoming towards the provision of affordable housing.”***

As the proposal is contrary to the Local Development Plan, the application has been re-advertised as a departure post Committee.

Whilst the applicant has agreed to make a contribution towards affordable housing, the proposal is still considered to be unjustified development in the open countryside and detrimental to highway and pedestrian safety so the original recommendation remains.

Given the new constitution of the Committee post election, there is no quorum of Members who considered the proposal originally, therefore the proposal is being reported back for determination with a recommendation to refuse as set out below.

THE SITE

The application site is strip of land with a road frontage of approximately 39m and an average depth of 23m. The site is outside the development limits of Pontyberem, however it is noted that there is a cluster of 7 houses opposite to the south.

The site is a former sawmill, however any commercial use has long since been abandoned. The remains of the sawmill is evident with some of the wall structure still in place. The owner has maintained the site in a good condition.

The site has also been subject to permission for a single dwelling prior to the First World War and the applicant has the original plans for the site. Undulations on part of the site are said to be evidence of commencement in the form of foundation trenches. The undulations are broadly consistent with the location of the previously approved dwelling, however it is not known when any works were undertaken. If foundations were dug over 100 years ago as suggested, they have collapsed and infilled over time with no development having taken place, therefore it is argued that the permission has been abandoned in planning terms.

More recently, planning permission was refused in 1989 and 1991 for two dwellings on the basis of its location in open countryside and highway safety.

THE PROPOSAL

The application seeks outline planning permission to establish the principle of two dwellings on the site in place of the former commercial use. The site is proposed to be laid out with two storey houses addressing the highway with modest rear gardens and a joint access to the east of the site with parking & garages and turning to the front for each property.

No justification has been submitted in terms of affordable / local need or rural enterprise. The proposal therefore seeks two market houses in the open countryside.

The applicant has submitted a unilateral undertaking in respect of the affordable housing contribution. This would be calculated on the basis of the internal floor area as required by Policy AH1.

PLANNING POLICIES

In the context of the current development control policy framework the site is outside the settlement development limits of Pontyberem as defined in the Carmarthenshire Local Development Plan (LDP) Adopted July 2006.

Policy SP1 Sustainable Places and Spaces states:

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a) Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;**
- b) Promoting, where appropriate, the efficient use of land including previously developed sites;**
- c) Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;**
- d) Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;**
- e) Creating safe, attractive and accessible environments which contribute to people's health and wellbeing and adhere to urban design best practice;**
- f) Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;**
- g) Utilising sustainable construction methods where feasible;**
- h) Improving social and economic wellbeing;**
- i) Protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.**

Policy GP1 Sustainability and High Quality Design states:

Development proposals will be permitted where they accord with the following:

- a) It 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;**
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) Utilises materials appropriate to the area within which it is located;**

- d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e) Includes an integrated mixture of uses appropriate to the scale of the development;
- f) It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g) It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well lit environments and areas of public movement);
- h) n appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;
- i) It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j) It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k) It has regard to the generation, treatment and disposal of waste.
- l) It has regard for the safe, effective and efficient use of the transportation network;
- m) It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 9 and TAN12: Design (2016)).

Policy GP2 Development Limits states:

Development Limits are defined for those settlements identified as Growth Areas, Service Centres, Local Service Centres and identified Sustainable Communities within the settlement framework.

Proposals within defined Development Limits will be permitted, subject to policies and proposals of this Plan, national policies and other material planning considerations.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 provides the following guidance.

Paragraph 4.11.1 states: "Design is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the

development, including its construction, operation and management, and its relationship to its surroundings“

Paragraph 4.11.2 states “Good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help to attract business and investment, promote social inclusion and improve the quality of life. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals. These objectives can be categorised into five key aspects of good design:”

Paragraph 4.11.3 states “The design principles and concepts that have been applied to these aspects should be reflected in the content of any design and access statement required to accompany certain applications for planning permission and listed building consent which are material considerations.”

Paragraph 4.11.4 states “Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and provides buildings and environments that are convenient and enjoyable to use for everyone (see Section 3.4).”

Paragraph 4.11.8 states “Good design is essential to ensure that areas, particularly those where higher density development takes place, offer high environmental quality, including open and green spaces. Landscape considerations are an integral part of the design process and can make a positive contribution to environmental protection and improvement, for example to biodiversity, climate protection, air quality and the protection of water resources.”

Paragraph 4.11.9 states “The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.”

Paragraph 2.2 of Technical Advice Note 12 Design (2016) states:

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (2016) states:

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

2.7 A holistic approach to design requires a shift in emphasis away from total reliance on prescriptive standards, which can have the effect of stifling innovation and creativity. Instead, everyone involved in the design process should focus from the outset on meeting a series of objectives of good design (Figure 1). The design response will need to ensure that these are achieved, whilst responding to local context, through the lifetime of the

development (from procurement to construction through to completion and eventual use). This analysis and the vision for a scheme can be presented in a design and access statement where one is required.

CONCLUSION

After careful consideration of the site and its surrounding environs, it is considered that whilst there is evidence of a former commercial use and history of permission, both have long since been lost through the passage of time, therefore the proposal is unjustified new residential development in the open countryside. Local and National planning policy directs development to sustainable communities, and there is a general presumption against development in the open countryside.

It is noted that there are houses opposite, however this is not considered to be a sustainable community and merely forms a cluster of rural dwellings without a defined settlement development limit. The general approach adopted in the LDP is to exclude such outlying clusters and confine development limits to sustainable settlements. In this case, the site is 0.7km from the closest part of Pontyberem, and 1.7km from its centre, with no bus stops or pedestrian facilities evident between the site and the village, therefore it is not considered to be in a sustainable location.

In terms of the site specific considerations, an indicative plan has been submitted which shows an indication of two dwellings. It is considered that there is insufficient private amenity space to the rear to serve the dwellings as shown. Notwithstanding the fact that this application merely seeks to establish the principle of development, it is considered that the site is of insufficient dimensions to accommodate two dwellings as shown.

Further, the application does not include any form of legal agreement setting out a contribution towards affordable housing as required under Policy AH1.

On balance, the proposal is not considered to be in accordance with the above policies and therefore is recommended for refusal.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy SP1 of the Carmarthenshire Local Development Plan.

Policy SP1 Sustainable Places and Spaces states:

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a) **Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;**
- b) **Promoting, where appropriate, the efficient use of land including previously developed sites;**

- c) **Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;**
- d) **Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;**
- e) **Creating safe, attractive and accessible environments which contribute to people's health and wellbeing and adhere to urban design best practice;**
- f) **Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;**
- g) **Utilising sustainable construction methods where feasible;**
- h) **Improving social and economic wellbeing;**
- i) **Protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.**

In that the site is in a location which is not served by public transport or pedestrian facilities, and is therefore wholly reliant on the private car. The site is not therefore considered to be in a sustainable location.

- 2 The proposal is contrary to Policy GP1 of the Carmarthenshire Local Development Plan.

Policy GP1 Sustainability and High Quality Design

Development proposals will be permitted where they accord with the following:

- a) **It 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;**
- b) **It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) **Utilises materials appropriate to the area within which it is located;**
- d) **It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;**
- e) **Includes an integrated mixture of uses appropriate to the scale of the development;**
- f) **It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;**
- g) **It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well lit environments and areas of public movement);**

- h) **An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;**
- i) **It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;**
- j) **It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;**
- k) **It has regard to the generation, treatment and disposal of waste.**
- l) **It has regard for the safe, effective and efficient use of the transportation network;**
- m) **It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;**
- n) **It includes, where applicable, provision for the appropriate management and eradication of invasive species.**

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 9 and TAN12: Design (2016)).

In that the site is not of sufficient size to accommodate the two houses along with parking, turning and an adequate rear garden area as shown on the indicative plan.

- 3 The proposal is contrary to Policy GP2 of the Carmarthenshire Local Development Plan.

Policy GP2 Development Limits

Development Limits are defined for those settlements identified as Growth Areas, Service Centres, Local Service Centres and identified Sustainable Communities within the settlement framework.

Proposals within defined Development Limits will be permitted, subject to policies and proposals of this Plan, national policies and other material planning considerations.

In that the proposed development is unjustified development outside the settlement development limits of Pontyberem as defined in the adopted Local Development Plan. The proposal would therefore constitute inappropriate and unsustainable development in the open countryside.

- 4 The proposal is contrary to Policy TR3 of the Carmarthenshire Local Development Plan.

Policy TR3 Highways in Developments - Design Considerations

The design and layout of all development proposals will, where appropriate, be required to include:

- a) **An integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport;**
- b) **Suitable provision for access by public transport;**
- c) **Appropriate parking and where applicable, servicing space in accordance with required standards;**
- d) **Infrastructure and spaces allowing safe and easy access for those with mobility difficulties;**
- e) **Required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced;**
- f) **Provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run off from the highway.**

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.

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

In that

- (i) it appears impracticable to construct an access within the curtilage of the site which would provide sufficient visibility for vehicles emerging onto the county road.
- (ii) the proposed development would lead to increased pedestrian movements along a section of road with no pedestrian facilities.

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

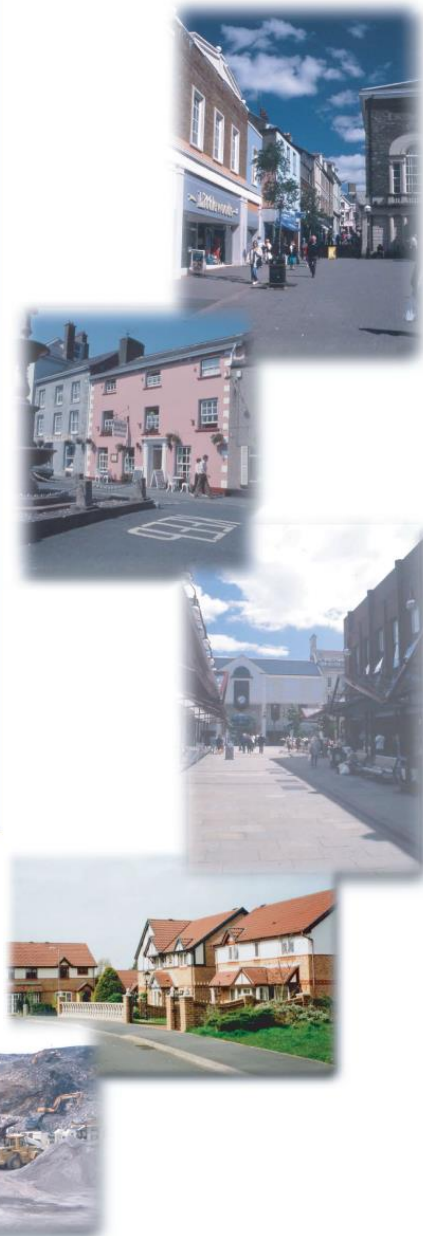
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

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

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

**AR 21 MEDI 2017
ON 21 SEPTEMBER 2017**

**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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	21 SEPTEMBER 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
W/35336	Proposed residential dwelling at Land at Frondeg, 2 Bro Rhydybont, Llanybydder, SA40 9QX
W/35461	Construction of 30 no. residential dwellings and associated site infrastructure works (amended site) at land at the rear of Cae Ffynnon, Bancyfelin, Carmarthen, SA33 5DQ
W/35973	New public square, café and small business units to existing public realm requiring the removal of existing walls/railings at Jacksons Lane Square, Carmarthen, SA31 1QD

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
	There are no applications recommended for refusal.

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/35336
-----------------------	----------------

Application Type	Outline
Proposal & Location	PROPOSED RESIDENTIAL DWELLING AT LAND AT, FRONDEG, 2 BRO RHYDYBONT, LLANYBYDDER, SA40 9QX

Applicant(s)	MR & MRS DAVIES, SWN Y NANT, GLANDUAR, LLANYBYDDER, SA40 9RN
Agent	ATLANTIC HOMES, AROSFA, FFOSTRASOL, LLANDYSUL, CARMARTHEN, SA44 4TB
Case Officer	David Roberts
Ward	Llanybydder
Date of validation	29/03/2017

CONSULTATIONS

Head of Highways & Transport – Conditional approval.

Llanybydder Community Council - No observations received to date.

Planning Ecology- Has requested a reptile clearance condition be included in any permission granted

Local Member - County Councillor Ieuan W Davies is related to the applicants and has declared an interest in the application.

Land Drainage – Have requested that a Surface Water Drainage scheme condition be included in any permission granted.

Dwr Cymru/Welsh Water- Have requested that a condition be included that no surface water/drainage should enter the public sewerage network

Natural Resources Wales – No observations

Neighbours/ Public – Neighbouring properties have been notified of the application and to date 4 letters of objection and a signed petition containing 32 signatories have been received objecting to the proposal. The representations have raised objections on the following grounds:

- Overdevelopment of the site
- Highway safety concerns due to increased traffic and insufficient visibility from the plot access point onto the county road and at the junction where the county road meets the B4337
- Lack of capacity in the existing sewerage network
- Loss of Light
- Loss of privacy
- Loss of view
- Decrease in property values
- No details provided for drainage/parking provision
- Slow worms are present on the application site
- Insufficient space within plot for a soakaway
- Impact of a new house on the health and wellbeing of neighbouring residents
- Application form has been completed incorrectly
- Loss of public open space

RELEVANT PLANNING HISTORY

The following relevant planning applications have previously been submitted on the application site:-

W/28452	Proposed residential dwelling Outline Planning Permission	12 September 2013
W/22025	Renewal of application W/15307 for a proposed Dwelling Outline Planning Permission	07 January 2010
D4/15307	House Outline Planning Permission	11 April 2007

APPRAISAL

THE SITE

The application site is a plot located in the rear garden area of a semi-detached property, No 2 Frondeg, Llanybydder. The site is roughly rectangular in shape and the topography of the site is generally level with the plot measuring approximately 15 metres in width and 23-24 metres in length and there are residential garden curtilages on either side of the application site. The site is within the development limits of the settlement. There are 2 newer properties to the north of the site, one bungalow and one two storey dwelling. There is a residential cul-de-sac to the east of the application site. All properties within the cul-de-sac are 2 storey. The site can be accessed via the county road to the rear. There is a hedgerow where the site borders the county road.

THE PROPOSAL

The application seeks outline planning permission for a residential dwelling with all matters reserved for future consideration. An indicative layout has been provided showing a new access and the location of a dwelling with a footprint measuring 9-10 metres in width and 7-8 metres in depth and an indicative height to ridge level of between 7.5- 8 metres. A smaller size dwelling may be more appropriate to provide greater amenity space, however

as the plan is indicative only, it is sufficient to demonstrate that the application site is large enough to accommodate a dwelling.

PLANNING POLICY

This application has been considered against relevant policies of the Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP').

The application site lies within the settlement of Llanybydder as defined by the LDP and the following policies are of key relevance to the proposal:

Policy SP1 Sustainable Places and Spaces stipulates that proposals for development will be supported where they reflect sustainable development and design principles by concentrating developments within defined settlements, making efficient use of previously developed land, ensuring developments positively integrates 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 H2 Housing within Development Limits stipulates that housing developments within existing settlements will be permitted provided that they are in accordance with the principles of the Plan's strategy, its policies and proposals.

Policy AH1 Affordable Housing states that a contribution towards affordable housing will be required for the net creation of one dwelling and for developments falling below the threshold of 5 dwellings a financial contribution is sought. This is equivalent to £74.65 per sqm of the internal floorspace of the proposed dwelling in this particular area. Such a contribution would be secured by way of a Legal Agreement that must be completed by all interested parties prior to the issuing of a decision in the event that planning permission is granted.

Policy GP1 Sustainability and High Quality Design is an overarching policy that seeks to achieve sustainable and high quality developments throughout the County that respect the existing character and appearance of the area in terms of siting, appearance, scale, height, massing, detailing, landscaping, materials and the amenity of local residents.

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 SP14 Protection and Enhancement of the Natural Environment states that development should reflect the need to protect and wherever possible enhance the County's natural environment.

THIRD PARTY REPRESENTATIONS

To date the four letters of objection and signed petition have raised the following issues:-

- Overdevelopment of the site
- Highway safety concerns due to increased traffic and insufficient visibility from the plot access point onto the county road and at the junction where the county road meets the B4337
- Loss of parking provision
- Lack of capacity in the existing sewerage network
- Loss of Light
- Loss of privacy
- Loss of view
- Decrease in property values
- Impact of a new house on the health and wellbeing of neighbouring residents
- No details provided for drainage/parking provision
- Slow worms are present on the application site
- Insufficient space within plot for a soakaway
- Application form has been completed incorrectly
- Loss of public open space

The application site is of a similar size as the dwellings to the west and also those properties on Bro Rhydybont to the east of the application site. Furthermore the submitted indicative layout has demonstrated that the site could accommodate a moderately sized dwelling and provide sufficient amenity/parking/turning area space. It would also not have an unacceptable impact on the amount of amenity space left for the existing dwelling which would retain a sufficient amount of garden area. Therefore, subject to an acceptable design which would be considered as part of a reserved matters application, the proposals are not considered to represent overdevelopment of the site.

In terms of highway safety concerns the Head of Highways and Transport has responded with no objections to the proposed development subject to the imposition of conditions. Therefore it is considered that the proposal would not generate a level of additional traffic that would be detrimental to highway safety on the surrounding road network and could be served by an appropriate access incorporating visibility requirements. In relation to the loss of parking provision the Head of Highways and Transport has recommended that a planning condition be imposed requesting a detailed scheme for Parking/ Turning area/access provision to be submitted for approval for the existing dwelling and replicates a condition that was included in the last outline planning approval for the site.

In regard to loss of light and privacy, it is considered that there is sufficient separation distances between properties for this not to be an unacceptable issue, similarly there is sufficient separation distances between the application site and neighbouring properties including the applicant's own dwelling, for there not to be an unacceptable loss of privacy and the detailed design and positioning of the dwelling will be considered when the reserved matters are submitted to ensure that there is no overlooking from first floor windows.

In relation to the objections raised in regard to lack of drainage detail and the contention that there is insufficient space to accommodate a soakaway, the land drainage team have been consulted and have raised no adverse comments requesting that a planning condition be imposed that the surface water drainage system for the proposed development needs to be approved by the land Drainage Team. In relation to the lack of

capacity in the existing sewerage network, Dwr Cymru /Welsh Water have been consulted and have raised no adverse comments.

In terms of ecological considerations and the presence of slow worms on the application site NRW and the Planning Ecologist have been consulted and have raised no concerns. However the Planning Ecologist has requested that a reptile clearance strategy condition be imposed.

It was brought to the attention of the case officer that the application form had been completed incorrectly in regard to Section 8 of the application form in that the applicant was related to an elected member of Carmarthenshire County Council and the No Box had been in ticked. This inaccuracy was brought to the attention of the agent and the application was revised and resubmitted to reflect the fact that the applicant is related to the Local County Council member for the area. In addition the local County Council member has declared an interest in the application. It was also contended that the application form was not signed, but it can be confirmed that the relevant sections of the application form have been signed and dated by the agent. It has also been brought to the attention of the Planning Authority that the location plan and block plans submitted in support of the application do not show all the residential properties in the vicinity of the application site and this is accepted, but their presence and location were taken into account in the assessment of the application.

In regard to the contention that the proposal would lead to the loss of public open space, the application site is garden curtilage in private ownership and cannot be considered as public open space.

The other points of objections raised relating to loss of view, decrease in property prices and the impact of the proposed development on the health and well-being of existing local residents; it is considered that these matters are not considered to be material land use planning considerations.

CONCLUSION

The application site is located within the development limits of Llanybydder and therefore should be considered under Policy H2 of the LDP which allows for new residential development provided the proposal is in accordance with the principles of the Plan's strategy and its policies and proposals.

The plot is of sufficient size to accommodate a moderately sized dwelling and would not look out of place. The proposal would be able to accommodate sufficient garden/amenity space area and an appropriate level of privacy would be achievable for both the existing and proposed dwelling. The scale and design of the proposed dwelling will be considered when the reserved matters planning application is submitted.

There would be no concerns in regard to overlooking and loss of privacy for adjoining residents and the site would be able to accommodate a dwelling designed to be in accordance with the character of the area. Therefore it is considered that the proposal complies with Policy GP1 of the LDP.

In regard to Highways considerations the Head of Highways & Transport has responded with no objection to the proposal subject to the imposition of conditions on any planning

permission and as such the proposal is considered to be in accordance with the requirements of Policy TR3 of the LDP.

In relation ecological matters both NRW and the Planning Ecologist have been consulted and have raised no adverse comments; the Planning Ecologist has requested that a Reptile Site Clearance strategy condition be imposed, therefore it is considered that the proposal is in accord with Policy SP14 of the LDP.

After careful consideration it is considered that the proposal is acceptable within the context of its surroundings and is in accordance with the relevant Local Development Plan Policies. It is therefore recommended that the proposed development be approved.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 2 The permission now granted relates to the land defined in the 1:1250 scale location plan received on 16th March 2017.
- 3 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
 - (i) the expiration of five years from the date of this outline planning permission;
 - (ii) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 4 Development shall not commence until detailed plans of the access; appearance; landscaping; layout; and scale of the building stated in the application, have been submitted, and received the written approval of the Local Planning Authority.
5. There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole U4121 Road frontage within 2.4 metres of the near edge of the carriageway.
6. 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.
7. Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of vehicular access, parking and turning facilities within the curtilage of the existing property (land edged in blue on the submitted plans), and this shall be dedicated to serve the existing property. 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. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

8. Prior to the commencement of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the entire site frontage with the U4121 Road. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.
9. 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.
10. Prior to any earth moving, hedgerow removal and soil stripping, a sensitive reptile clearance strategy must be prepared and approved by the Local Planning Authority and implemented before any of the specified works take place in accordance with the agreed scheme.

REASONS

- 1 The application is in outline only.
- 2 For the avoidance of doubt as to the extent of this permission.
- 3 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 4 In the interest of visual amenity.
- 5-8 In the interest of highway safety.
- 9 In the interest of the environment
- 10 To prevent injury and killing of reptiles

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 Local Development Plan (LDP) unless material considerations indicate otherwise.

- The proposal complies with Policies H2, AH1, GP1, TR3 and SP14 of the adopted LDP (2014) in that the proposed development is within the settlement limits of Llanybydder. There are no highways or amenity concerns. Potential for sufficient amenity is provided along with sufficient parking for the proposed dwelling. The proposal is subject to a legal agreement to provide a financial contribution towards affordable housing.

NOTES

- 1 The developer/applicant's attention is drawn to the requirement for a financial contribution towards affordable housing that will be secured by way of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act to make a contribution of £74.65 per square metre of internal floor space of the proposed dwelling towards the provision of affordable housing.
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

- 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).
- Please see the relevant response from Planning Ecology and refer to the recommendations and advice regarding reptile species contained therein.
 - Please see the relevant response from the Head of Highways and Transport and refer to the recommendations and advice contained therein.
 - Please see the relevant response from the Land Drainage Section regarding surface water and refer to the recommendations and advice contained therein.
 - Please see the relevant response from Dwr Cymru Welsh Water regarding the disposal of surface water and refer to the recommendations and advice contained therein.

Application No	W/35461
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF 30 NO. RESIDENTIAL DWELLINGS AND ASSOCIATED SITE INFRASTRUCTURE WORKS (AMENDED SITE) AT LAND AT THE REAR OF CAE FFYNNON, BANCYFELIN, CARMARTHEN, CARMARTHENSHIRE, SA33 5DQ

Applicant(s)	ENZOS ESTATES LTD, GLYN YR EITHIN, ARGOED ROAD, BETWS, AMMANFORD, CARMARTHENSHIRE,
Agent	ASBRI PLANNING LTD - MR RICHARD BOWEN, SUITE 4, J SHED, KINGS ROAD, SWANSEA, SA1 8PL
Case Officer	Stuart Willis
Ward	St Clears
Date of validation	28/04/2017

CONSULTATIONS

Head of Transport – Have responded raising no objection and recommended a number of conditions. They have referred to the need to make improvements to the area which comprise the following:

- a pedestrian crossing plateau on the C2042
- 20mph speed limit on the C2042
- bus stop infrastructure in the vicinity of the site

St Clears Community Council – have responded stating they have many concerns about the impact of this development on the village of Bancyfelin. They state that there are undoubtedly some benefits to the development of more housing in the village e.g. more children in the school, more business for the shop / post office / pub. They comment that the Town Council has received numerous copies of correspondence sent by residents of the village noting grave concerns about the development. These are summarised as follows:

- Changes to the original development
Drop off area for the school is now not included. Current parking issues at the school and highways safety concerns.
Removal of the permissive path effectively cuts off parts of the village from each other. Only access is along a longer route with highway safety implications and likely lead to increased traffic.

- Sewerage and Flooding
Unable to access Natural Resources Wales response
Concern about surface water and flooding in the area. Existing issues and removing natural drainage likely to increase issues which already exist along High St and cause a flooding problem for residents of the street.
Concern existing surface water would find its way in to the main sewer system.
Query is a risk assessment has been carried out in relation to this.
- Revised access road.
A different access road is proposed to previous scheme.
Concerns over the safety of the new access point
Request for a full safety assessment be carried out in the area
The new access point would mean that the previous access point to the site would be subject to further development and block up the permissive path which is currently well used.
- Quality of life of current residents
Concerns about the impact of the development on existing properties and quality of life due to the proximity of the development to some of the houses.
- Increased traffic through the village.
Careful consideration need to be given to traffic flow and the increased number of cars.
Query of a gradual approach to monitor traffic impacts
Pavement only shown on one side of the new estate road in part – query regarding crossing point

Following reconsultation when the scheme was amended no further comments were received.

Local Member - County Councillor P Hughes is a member of the planning committee and has not commented to date

Network Rail – Responded raising no objection. A number of comments are made including suggestions for conditions. Where considered relevant these conditions are included.

Head of Public Protection – Have responded raising no objection and have not recommended any conditions. These included reference a scheme for noise and dust mitigation.

Welsh Water/Dwr Cymru – Have responded raising no objection. They refer to conditions to ensure that surface water is not connected to the surface water system and that full details of the surface water system are provided prior to the commencement of development.

Land Drainage Officer – have provided a number of comments on the scheme including asking for additional justification for the chosen method of drainage. Following the receipt of amended/additional comments and discussions with the officer it was felt that a condition requiring full details of the surface water drainage system to be provided prior to commencement of the development be imposed, if approved.

Education Department - have confirmed that based on the capacities of the schools in the area that a Section106 contribution will be required towards Education of £19,000.

Following the amendment of the scheme to include land within the school boundary as a pedestrian link they have no objection in principle to the creation of this link. Reference is made to further discussions with the schools governing body. They have referred to the need for the link to meet the Safe Routes to School standards and that a fence of at least 2.4m be provided between the path and the school. They have also referred to the terms of the transfer of land being subject to negotiation with the developer. They have also commented that the path should be adopted by the Authority.

Minerals and Waste - The site is located on Sand and Gravel Category 1 mineral safeguard area. Carmarthenshire LDP MPP3 Mineral safeguarding notes the importance of safeguarding access to minerals and states that planning permission will not be granted for proposals where they would permanently sterilise mineral resources. The policy also sets out instances where development may be permitted and includes development where the applicant can demonstrate that the extraction of the mineral is impractical, uneconomic or environmentally unacceptable; or mineral is extracted prior to development taking place. The applicant has provided some details and justification in the 'Planning, Design and Access Statement, Land at Bancyfelin, Carmarthen, March 2017.'

MTAN2: Aggregates provides guidance on safeguard areas and buffer zones, and the acceptable distances between mineral workings and settlements. It is noted that the location of this development, and the underlying mineral resource is adjacent to residential dwellings and a school, and current policy may render the reserve unfavourable.

The application is accompanied by cross sections, which are welcomed and demonstrate that there may be some engineering works or importation of material, as the current ground is not level, to achieve the finished floor levels. In order to construct the proposed buildings, the site would likely require the removal of top-soils and subsoils, however no information has been provided on whether the soils would be utilised on site in landscaping operations (and would therefore require careful stripping, handling and storage), or if they will be removed from site altogether and disposed of. Further information will be required on the treatment of soils.

Having considered the nature of the proposal and its location, they have no objection with regard to its impact on mineral safeguarding, however they do have concerns on the implementation of the proposal, in particular on the possible disposal and importation of materials, and soils.

Natural Resources Wales – they note from the amended plans that it is now proposed to dispose of surface water to the adjacent River Cywyn, which is classified as a main river. They advise that the detail of the proposed surface water drainage scheme be submitted to and approved to the satisfaction of your Authority's Drainage Engineers and also encourage the developer to investigate alternative forms of SUDS on site, for example permeable paving, grey-water harvesting systems, green roofs etc.

In respect of any proposed outfall the developer may require a flood risk activity permit for any activity within 8 metres of a non-tidal main river (or within 8 metres of any flood defence structure or culvert on that river) or any activity within 16 metres of a tidal main river (or within 16 metres of any flood defence structure or culvert on that river).

Housing and Social Care – The provision of 10 two bedroom 4 person homes and 2 four bedroom 7 person homes complying to with Welsh Governments Development Quality Requirements (DQR) as proposed by this development will help meet the housing need in the area. This development will also be supported by the Councils Social Housing Grant Programme Development Plan in partnership with Bro Myddin Housing Association due to the high levels of housing need in the area and the suitability of this development to meet this need.

Public Rights of Way – comment that Footpath 63/27 affects the proposed development site as shown on the attached Public Rights of Way plan. If the application is approved, reference should be made to the applicant/developer of the existence of the footpath and to the requirement not to obstruct or encroach upon it at any time. The applicant is advised to contact the Countryside Access Team if the footpath is affected during the development or if the development results in any alterations to the route or the surface as this will require prior consent from the Authority.

Neighbours/Public - The application has been publicised by the posting of a Site Notice near to the site and in the Local Press. To date 16 responses have been received in this application. The following issues were raised:

- Certain neighbour not consulted on pre-application consultation
- Impact on amenity and privacy
- Proximity to existing dwellings
- Proximity to existing windows due to boundary treatments and loss of light
- Loss of view
- Impact on house values
- Request for additional paths
- Increase in traffic, access not suitable, parking and highway safety concerns
- No justification given for new access location
- Alternative access is safer than the one proposed
- Additional traffic calming measures are needed
- Questions over whether additional crossing points are required
- Pollution and noise impact
- Ecological impact
- No need for additional homes
- No in line with LDP policy
- Concerns over sewer capacity
- Flooding/drainage concerns
- Impact on landscape features
- Site is outside development limits
- Query over location of play areas
- Public health concerns
- Proposal different to the original/previous applications
- No consultation letters sent
- Questions over why access route has altered
- Concern over loss of path and accessibility/link to the village
- Previous highway improvements not included such as zig-zag markings and drop off area
- Lack of access to the play area
- Concern over proximity of play area to the railway line due to rats
- Impact on the Welsh Language
- Possible future development at Cae Ffynnon as access now not needed from there leading to loss of path
- Poor existing pedestrian access

- Questions over the nature of affordable housing and who would occupy them and availability
- Impact of the proposal on the use of the public footpath and conflict of users
- Greater need for homes for the elderly rather than social housing
- Potential linguistic impact on the Category A school
- Suggestions of phasing development
- Questions over viability of the previous scheme
- Questions over details on plans and landowner
- Concern over location of the play areas
- Concern regarding loss of trees
- Comments from pre-application consultation not addressed
- School parking concerns with additional properties
- Further properties not proposed at Cae Ffynnon as advised land should be open for possible future development

The school Board of Governors commented stating they are pleased with the proposed development however they had concerns over surface water drainage and possible impacts on the school fields at the northern end of the school grounds.

Comments were made that the provision of housing in general was welcomed with reference to increasing school numbers. Trade for the village shop and post office and public house. The provision of a play area was also welcomed.

The Public Hall initially objected to the proposal due to the lack of pedestrian linkages from the site. Following the amendments to the scheme to include the pedestrian links the objection from Bancyfelin Public Hall was removed and they have commented they now support the application.

1 further letter of support was also received stating the new junction would alleviate traffic congestion around the school. Comments from the Public meeting also referred to elements of support as well as objections referred to above.

RELEVANT PLANNING HISTORY

W/31890	Construction of 4 no semi-detached dwelling houses and formation of a local area of play Full Granted S106 Signed - Affordable Housing / Open Space / Highways	12 September 2016
W/31130	Construction of 13 dwellings and estate road Full Granted S106 Signed - Affordable Housing / Open Space / Highways	12 September 2016
W/24182	Outline for residential development (with affordable housing), school parking/drop off area and public play area Outline Granted S106 Signed - Affordable Housing/	14 February 2014

Education / Open Space Play

W/15162	Erection of 18 houses with associated infrastructure Full Refused	11 May 2007
W/07185	Residential development 7 houses 5 bungalows Withdrawn	11 June 2004

THE SITE

The application site comprises a field currently under grass located off the northern flank of High Street, Bancyfelin. The site is located at the centre of Bancyfelin. The site is at the rear of a cul-de-sac of dwellings known as Cae Ffynnon with the Fox and Hounds Public House between those properties and the road. The site also extends behind the school grounds and along the rear of properties along High Street to the east of the school. The site extends to and includes an existing access some 150m to the east of the school. There is a public right of way running along the existing vehicle and pedestrian access at the eastern part of the site which runs north. Land on the opposite side of the High Street is included in the application site leading to the watercourse in relation to drainage.

The railway line is located to the north east of the fields. There is another cul-de-sac of houses located to the south west of the site. There is a path from the school grounds behind the existing cul-de-sac of dwellings to the village hall and other houses which is not included in the application site. There are hedgerows on parts of the field boundaries within the site. The land generally slopes from the north west of the site towards the school and existing residential properties.

The western section of the site represents an area of land allocated for residential development in the Adopted Carmarthenshire LDP. The site is allocation SC15/h1 covers an area of 0.85ha and was allocated for 17 units. The area also includes an area of land located outside the allocation and development limits and this covers approximately 0.9ha

The dwellings in the surrounding area are generally 2 storey and include terrace, detached and semi-detached properties of varying ages and designs. There are some bungalow properties on the opposite side of High Street.

Outline planning permission was granted in 2014 for residential development for an area of land including this application site and the other proposal for 4 dwellings and a play area (W/24182) as well as further land to the rear of the school. That application also included additional land to the rear of the school. At the time of the outline application and permission the area of land where the 4 dwellings subject to W/31890 are proposed was not within the development limits of the UDP. W/24182 showed the 4 plots outside of development limits being affordable units. A play area and drop off area for the school was also proposed to the rear of the school as part of the community benefits proposed. A path from the village hall between proposed properties to the new estate road was also proposed. No fixed layout or details of siting were looked at although an indicative layout was provided. An indicative layout was submitted showing 17 residential units at the site. A mix of detached and semi-detached properties.

Last year 2 separate applications were approved for residential development within the land allocated in the LDP. One was for 14 units to the rear of Cae Ffynnon while the other contained 4 dwellings and a play area to the rear of the school. The above applications were accessed via Cae Ffynnon. These applications included the provision of 2 affordable units.

THE PROPOSAL

The application requests full planning permission for the construction of 30 dwellings and associated infrastructure.

There would be a single access to the site and a proposal would be a cul-de-sac development. This application proposes the access to be from the existing access to the eastern end of the site rather than via Cae Ffynnon. The application would involve improvements to the existing access creating 5.5 wide road a footway. The road would then lead west along the northern part of the site along the boundary with the railway. Initially there would only be dwellings on the southern end of the road. As the site widens further west there would be dwellings either side of the new road with a turning head at the western end of the site.

The layout of the site also shows the provision of 2 areas for public open space. A local area of play (LAP) is proposed at the eastern end of the site while a local equipped area of play (LEAP) is proposed centrally and at the northern end of the site.

There are 12 dwellings shown on land outside the development limits at the eastern end of the site are indicated to be designated as affordable housing. A letter had accompanied the application from Bro Myrddin Housing Association stating their support for the development and their interest in developing the site in partnership with the applicant. They refer to the site being strategically important for them and the scheme has been included in their delivery plan.

These comprise 5 pairs of semi-detached properties and 2 detached properties as follows:

- House Type 1 – 10 no 2 bed semi-detached 2 storey properties – render walls with brick plinth and tiled roof.
- House Type 2 – 2 no 4 bed detached 2 storey properties – render walls with brick plinth and tiled roof.

The other 18 properties are located within the allocation which are a mix of detached and semi-detached properties. There is also a mix of 2 storey and bungalow properties.

- House Type 3 – 2 no 3 bed semi-detached 2 storey properties – render walls with brick plinth and tiled roof.
- House Type 4 – 8 no 3 bed detached bungalow properties – render walls with brick plinth and tiled roof.
- House Type 5 – 2 no 3 bedrooms detached 2 story properties with integral garage – render walls with brick plinth and tiled roof.
- House Type 6 – 2 no 4 bedroom detached 2 storey properties – render walls with brick plinth and tiled roof.
- House Type 7 – 2 no 3 bedroom detached properties – render walls with brick plinth and tiled roof.

The proposal initially included no pedestrian link from the new estate to the school or wider area other than through the vehicle access. It has been subsequently amended to include 2 pedestrian links. One of these is located at the western end of the site between 2 proposed properties and adjoins the existing path leading to Lon Cywin. It connects to a section of the path which is within the Authority's ownership. A further path is proposed centrally which would run south from the new development. Initially it would run between one of the proposed dwellings and the boundary of the school grounds. The existing path adjacent to the school appears to be in third party ownership. Therefore it is proposed that a new path be created running within what is currently the school grounds. It would run along the edge of the school grounds south to adjoin the existing pavement at the front of the school. Both paths are proposed to be 2m wide.

Percolation tests were submitted that indicate soakaways are not feasible at the site. Off site drainage is therefore required. The application has been amended to include a route for drainage leading along the proposed road, across the public road to land on the opposite side. It would then be a connection to the watercourse which is shown to be in the same ownership. Discussions over possible attenuation measures have taken place. This could include below ground or above ground attenuation. An option of above ground attenuation on the land on the opposite side of High Street has been put forward. As this would involve land currently outside the application site it cannot be included in this application. If that drainage system is to be taken forward it would be subject to a separate planning application.

Landscaping details were provided with the original submission and amended during the course of the application. This includes planting along the new northern boundary of the site. Planting is also suggested around the play areas and where it bounds network rail land.

PLANNING POLICY

Policy SP1 Sustainable Places and Spaces

This policy states that proposals for development will be supported where they reflect sustainable development and design subject to a number of criteria. These include distributing development to sustainable locations in accordance with the settlement framework, promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling and Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness

Policy SP9 Transportation.

This policy states that provision is made to contribute to the delivery of an efficient, effective, safe and sustainable integrated transport system in a number of ways including the following, reducing the need to travel, particularly by private motor car; supporting and where applicable enhancing alternatives to the motor car, such as public transport (including park and ride facilities and encourage the adoption of travel plans), and active transport through cycling and walking; re-enforcing the function and role of settlements in accordance with the settlement framework; promoting the efficient use of the transport network;

Policy SP6 Affordable Housing

The policy states that provision will be made for at least 2,121 affordable homes to be delivered through the LDP. The delivery of affordable homes will contribute to the creation of sustainable communities within the Plan area.

Policy GP1 Sustainability and High Quality Design.

This states that development proposals will be permitted where they accord with a number of criteria including the following, it 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, utilises materials appropriate to the area within which it is located; it retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity; an appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality.

Policy AH2 Affordable Housing – Exceptions Sites

This states proposals for 100% affordable housing development on sites immediately adjacent to the Development Limits of defined settlements (Policy SP3), will in exceptional circumstances be permitted where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and where:

- a. The site represents a logical extension to the Development Limits and is of a scale appropriate and in keeping with the character of the settlement;
- b. The benefits of the initial affordability will be retained for all subsequent occupants;
- c. It is of a size, scale and design compatible with an affordable dwelling and available to low or moderate income groups;
- d. There are no market housing schemes within the settlement being, or projected to be developed which include a requirement for affordable housing.

Policy H1 Housing Allocations

This states land has been allocated for residential development for the plan period 2006 – 2021 at those locations as set out below, and as depicted on the Proposals Map. Proposals for the residential development of allocated housing sites submitted in the form of a Full Planning application or as a Reserved Matters application should be accompanied by a layout of the proposal in its entirety to ensure the site is developed to its full potential.

Policy TR4 Cycling and Walking

The policy states land required to facilitate the following improvements to the cycle network will be safeguarded. Proposed routes where known are shown on the proposals map. Developments should, where appropriate seek to incorporate, or where acceptable, facilitate links to the cycle, rights of way and bridleway network to ensure an integrated sustainable approach in respect of any site.

The notes of the policy go on to state cycling and walking have a significant role in achieving the delivery of sustainable transportation. This may be achieved through such measures as safe and convenient cycle routes and footpaths, new improved routes, utilising the design process for new developments to ensure that the needs of those walking and cycling are considered. The design and layout of new developments should have regard to the needs of walking and cycling including where possible, access to routes and networks. Regard will be had to the provisions of WG's Safe Routes in Communities Programme in relation to the consideration and development of local walking and cycling routes. The initiative focuses on developing safe walking and cycling routes within communities, linking to schools and other key facilities. Reference should be made to the

Rights of Way Improvement Plan (RoWIP) for Carmarthenshire, and the interrelationship of the Plan area's footpaths, bridleways and bye-ways and linked leisure opportunities.

Policy SP5 Housing

This states that in order to ensure the overall housing land requirement of 15,197 for the plan period 2006-2021 is met, provision is made for 15,778 new dwellings. Sufficient land is allocated (on sites of 5 or more dwellings) to accommodate 13,352 dwellings in accordance with the Settlement Framework.

Policy SP14 Protection and Enhancement of the Natural Environment

This states development should reflect the need to protect, and wherever possible enhance the County's natural environment. All development proposals should be considered in accordance with national guidance/legislation and the policies and proposals of this Plan, with due consideration given to areas of nature conservation value, the countryside, landscapes and coastal areas, and outlines further details of specific sites/areas.

Policy EP3 Sustainable Drainage

This states that proposals for development will be required to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Drainage Systems (SUDS), has been fully investigated. The details and options resulting from the investigation must show that there are justifiable reasons for not incorporating SUDS into the scheme in accordance with section 8 of TAN 15.

Policy REC2 Open Space Provision and New Developments

This policy states that all new residential developments of five or more units will be required to provide on-site open space in accordance with the Council's adopted standards of 2.4ha per 1000 population. In the event that the above standards cannot be met on site, or where there is sufficient existing provision already available to service the development, then off site financial contributions will be sought as and where appropriate.

Policy TR3 Highways in Developments - Design Considerations

This policy states that the design and layout of all development proposals will, where appropriate, be required to include an integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport; suitable provision for access by public transport; appropriate parking and where applicable, servicing space in accordance with required standards; infrastructure and spaces allowing safe and easy access for those with mobility difficulties; required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced; provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.

It goes on to state 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. Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

SP17 Infrastructure

The policy states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily provided. The LDP therefore supports the economic provision of infrastructure by allocating sites in identified settlements and in accordance with the Settlement Framework. Renewable energy generation and associated utility connections will be encouraged, in appropriate locations, subject to other Plan policies. Proposals for ancillary developments to the utilities infrastructure will be permitted where they have regard to their setting, incorporate landscaping and do not conflict with the areas built, historic, cultural and nature conservation and landscape qualities. (Policy SP13 and SP14) Planning Obligations relating to developer contributions towards necessary infrastructure improvements may be sought subject to policy GP3.

Policy GP2 Development Limits

The policy states that development Limits are defined for those settlements identified as Growth Areas, Service Centres, Local Service Centres and identified Sustainable Communities within the settlement framework. It goes on to say proposals within defined Development Limits will be permitted, subject to policies and proposals of this Plan, national policies and other material planning considerations.

Policy GP3 Planning Obligations

This states the Council will, where necessary seek developers to enter into Planning Obligations (Section 106 Agreements), or to contribute via the Community Infrastructure Levy to secure contributions to fund improvements to infrastructure, community facilities and other services to meet requirements arising from new developments. Where applicable, contributions will also be sought towards the future and ongoing maintenance of such provision either in the form of initial support or in perpetuity. In implementing this policy schemes will be assessed on a case-by-case basis.

Policy GP4 Infrastructure and New Development

This states that proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by (or an appropriate contribution is provided by) the developer. Planning obligations and conditions will be used (where appropriate) to ensure that new or improved facilities are provided to serve the new development.

Policy SP9 Transportation

This states that provision is made to contribute to the delivery of an efficient, effective, safe and sustainable integrated transport system through a number of means including reducing the need to travel, particularly by private motor car, addressing social inclusion through increased accessibility to employment, services and facilities, supporting and where applicable enhancing alternatives to the motor car, such as public transport (including park and ride facilities and encourage the adoption of travel plans), and active transport through cycling and walking, re-enforcing the function and role of settlements in accordance with the settlement framework, promoting the efficient use of the transport network, the use of locational considerations for significant trip generating proposals, with design and access solutions within developments to promote accessibility by non-car modes of transport.

Policy AH1 Affordable Housing

For developments of this scale the policy states that a contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford / Cross Hands sub-market areas. Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

On Site Contributions

The affordable housing will be required to be provided on proposals of 5 or more dwellings in all settlements. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the above threshold, the Council will seek an element of affordable housing based on the affordable housing target percentages set out above. Proposals will be required to ensure that the dwelling remains affordable for all subsequent occupants in perpetuity.

Policy MPP2 Mineral Buffer Zones

This states that provision has been made for Buffer Zones around all sites with extant planning permission for mineral working. New mineral extraction and new sensitive non-mineral development will not normally be permitted within the identified buffer zones.

Policy MPP3 Mineral Safeguarding

This states planning permission will not be granted for development proposals where they would permanently sterilise resources of aggregates and coal identified within the mineral safeguarding areas (areas of search) identified on the proposals map unless:

- a. The applicant can demonstrate that the extraction of the mineral is impracticable, uneconomic or environmentally unacceptable (including compromising amenity and social considerations); or
- b. The mineral resource has already been extracted; or
- c. The mineral can be extracted satisfactorily prior to the development taking place; or
- d. The development is of a temporary nature and can be completed and the site restored within the timescale that the mineral is likely to be needed; or,
- e. The nature and location of the development would have no significant impact on the potential working of the resource.

SP18 The Welsh Language

This policy states that the interests of the Welsh language will be safeguarded and promoted. Proposals for residential developments of 5 or more dwellings in Sustainable Communities and 10 or more in Growth Areas, Service Centres, and Local Service Centres, located on sites within communities where 60% or more of the population are able to speak Welsh, will be subject to a requirement for phasing.

THIRD PARTY REPRESENTATIONS

Turning to the representations received to date, the following issues have been raised.

A number of objections have referred to differences between this full planning application and the previous planning permission issues at the site. There are differences between the applications. While there was an outline planning permission issued a separate full application was approved last year and this application is also a full application not a reserved matters submission. Therefore it is not necessary for this application to follow the

details or requirements of the outline permission. This current application is assessed on its own merits and against the relevant policies and considerations at this time.

Affordable Housing Provision

Comments have been made regarding the affordable housing provision as part of this submission in comparison with the previous submissions. The nature of likely occupants has also been raised as well as the tenure of the properties.

The previous outline permission showed 4 of 17 properties being affordable housing. The 4 affordable units were at that time outside of the development limits as delineated in the Carmarthenshire UDP. Subsequently that area of land has now been included within the development limits of the Local Development Plan. The full planning applications approved last year provided had a total of 17 units with 2 units being for affordable housing. During that application viability issues were raised which mean the level of provision was lower than the targets set in the LDP. Bancyfelin is located in an area where the LDP identifies that the level of provision of affordable housing should be at 30% of the total number of units. The provision of 2 of the 17 units would equate to approximately 12% and falls short of the 30% referred to in the LDP and associated Supplementary Planning Guidance (SPG) adopted

The current proposal covers a large area and includes land located outside of the allocation and outside of development limits. The total number of units proposed is 30 units and 12 of these would be designated as affordable housing. This equates to 40% of the units being affordable. The application has been accompanied by a letter from Bro Myrddin Housing Association indicating they are looking to work in partnership with the applicant to develop the site.

LDP policies make provision for sites adjacent to settlement limits to be developed where the units are for affordable housing and meet an identified need. The dwellings outside the development limits at this site are all affordable units. The application proposes 10 no 3 bedroom units and 2 no 4 bedroom units. Questions have been raised over the likely tenants and tenure of the units and whether they would be available for local people and whether they would be for sale or rent. The affordable units would be controlled by the Housing Association as social rented housing and would be available in line with their policies. The units being retained as affordable ones would be secured through a Section 106 Agreement if the application were approved.

Comments have been received from the Housing Section confirm that housing need in the ward of St Clears could be best met by providing either a mix of 2 bedroom, 4 person houses and 3 bedroom 5 person houses for low cost home ownership or by providing a mix of 2 bedroom, 4 person houses and 4 bedroom, 7 person houses for affordable rent. Further details are also given in relation to the size of the units. They have confirmed that the provision of the type of units proposed, subject to compliance with Welsh Government Development Quality Requirements would help meet the housing need in the area. It has also been stated that the development would support the Councils Social Housing Grant Programme Development Plan in partnership with Bro Myrddin due to the high level of need in the area and the suitability of this development to meet this need.

Comments were also made in relation to there being a need for provision for elderly people rather than for affordable housing. The development does include a number of bungalow properties and it should be noted from the above that there is considered to be a

need for additional affordable units. The overall need for housing was raised and reference made to the potential for development at West Carmarthen. A large part of this site is allocated for residential development in the LDP. Therefore the need for housing in the settlement was considered as part of LDP process. This is the only residential allocation in the village. The opportunity to provide additional affordable housing, over and above the target set in the LDP is welcomed where, as it is in this case, there is an identified need.

Public Open Space

The level of provision of public open space as part of the application was another area of concern. The location of the public open space was also something that would be questioned. Previous applications have both included public open space in them. There is presently no public open space in the village. This proposal would include 2 areas of public open space. At the eastern end of the site there is a Local Area of Play (LAP). More centrally in the site, to the north of the school grounds there would be a Local Equipped Area of Play (LEAP). These areas would be privately managed and maintained and would be public facilities. It is felt that the provision of this level of public open space is acceptable. The provision of these areas and of a management/maintenance agreement would be secure through a Section 106 Agreement if approved.

Access to the facilities would be raised in the wider context of access and permeability of the development and this is dealt with later in the report.

Concern over the location of the public open space adjacent to the railway line was raised. The previous application showed the POS in a similar location. No objection has been raised by Network Rail and they have made comments regarding works near the boundary. A stated issue with rats at the railway line was raised however it is not considered this is of an issue that warrants the relocation of the play area.

Highways Matters

A number of highways issues were raised. These included the lack of a parking/drop off space for the school (as previously proposed). Such provision was made as part of the outline planning permission. The full planning applications approved last year did not include such facilities and as this current proposal is also a full planning application (rather than reserved matters) it is not bound by the original outline permission. The outline application did suggest a new parking area however this was not a requirement but a community benefit put forward by the applicant on that application. The provision of a parking/drop off area is not considered to be essential for a positive recommendation to be reached.

The 2016 approvals included financial contributions towards highway improvements. These were identified by the Head of Transport at that time and included the provision of zig zag road markings, the creation of a 20mph zone and the construction of a raised plateau. Those applications were when the proposed access to the site was off Cae Ffynnon, adjacent to the school. For those applications objectors also raised the issue of on street parking from the school.

Increased traffic and congestion were raised by objectors and questions over the level of parking shown for the proposed units. It is considered that the level of parking provided is sufficient for the proposed units. The highways improvements referred to below should also reduce traffic speeds and create a safer environment near the site.

Concerns/questions were raised over the location of the access for the development. The proposed access is different to the previous applications. Whether the proposed access was safe, speeds to vehicles approaching from the village from the east and existing traffic/parking issues were highlighted. Whether the proposed access was better/worse than the one previously approved at Cae Ffynnon was also raised. Objectors on the previous approvals had raised similar concerns over the access from Cae Ffynnon. Regardless of whether one access is preferable to another there is a need to assess the current proposal and whether this is acceptable. If it is acceptable from the previous approvals with an alternative access should not impact on the assessment of this scheme. The reasoning for the change of access was raised however again if acceptable the reason for the change is not relevant.

The access for this proposal is off a different part of High Street located to the eastern end of the site and that is what is being assessed. The Highways Officer has indicated that there would need to be for highway improvements which as follows:

- A pedestrian crossing plateau on the C2042
- 20mph speed limit on the C2042
- Bus stop infrastructure in the vicinity of the site

The applicant has indicated that they would agree to the provision of these improvements. The provision of them would be subject to a Grampian style condition requiring the submission and agreement of a traffic calming/management scheme. These improvements would need to be in place prior to the occupation of any dwellings.

Overall the highways officer raises no objection to the proposal and recommends the imposition of conditions with any approval.

Pedestrian access and connectivity/permeability issues were raised and these are dealt with below as part of the assessment of the layout of the site.

Layout

The layout of the site was an area of concern for many of those who have responded. The application as initially proposed showed the pedestrian access being along the vehicular access which is at the eastern end of the site and towards the eastern edge of the village. Therefore, although adjacent to the school grounds there would be no pedestrian access from the site to the school other than along the new road and then back along High Street. This would also be the only access from the site to shops, public house and other parts of the village. For those outside the development to access the public open space the only route would be the one along high street and back through the new road. This was not considered to be appropriate and made the scheme disconnected from the village. Therefore amendments were sought.

The scheme has subsequently been amended to include 2 new pedestrian links. A 2m wide link is proposed at the western end of the cul-de-sac which provides a connection to and from the site to an existing path which leads to both Lon Cywin and the village hall. The section of path this connects to is in the ownership of the Authority. The existing path running along the northern end of Cae Ffynnon however is partly in third party ownership. This is not included in the application site and is not shown to be in the ownership/control of the applicant. This is also a permissive path and not a public right of way. In order to ensure that a pedestrian link is provided and access can be secure an alternative new

route is proposed. This new route would run south from the proposed estate between the existing boundary of the school and one of the plots. It would then turn in to where what is currently the school grounds. Along the western edge of the school grounds is a path. It is proposed to create a new 2m path along this route which would run all the way to the public pavement at the southern end of the site. The applicant would provide new fencing along the boundary with the school and the path would need to be surfaced to the appropriate standard. This path would then become a public route rather than being within the grounds of the school. The path would ensure that regardless of what may happen at the permissive path there would be a permanent public pedestrian link between the site and the wider village. It is felt that with the provision of this path the permeability of the site is significantly improved. Connections for local businesses, the school and the play areas within the proposed site are greatly improved. It is felt that with this improvement the proposal would be acceptable.

The new routes would also mean that pedestrians could walk to and from locations such the school, public house, village hall etc from existing and proposed dwelling along a more open path. Other than the sections between the proposed plots the route would be along the new cul-de-sac route. With the previous approvals the route would have been along the existing permissive path which would involve the rear boundary fences of the adjacent properties being either side of the path.

As the proposal would involve land within the school grounds and land within the Authority's ownership notice has been served on the Authority. There have also been discussions with the Education Section who are the relevant section in terms of ownership. As outlined earlier in the report they have raised no objections to the proposed path in principle. They have made certain requests in relation to the design of the path and boundary fence. They have also referred to wishing for the path to be adopted rather than remaining part of the school grounds.

It is considered that subject to conditions being imposed in relation to the provision, detailing and long term securing of the paths that the proposal is now acceptable.

Amenity

A number of objections have referred to the potential impacts on amenity of occupants of existing dwellings from the proposed development. Loss of light, overbearance, the close proximity of proposed properties to existing ones, noise and pollution have all been referred to. There have also been questions over the proposed impact of new boundary treatments.

The layout of the western part of the site is largely similar to the permissions granted planning last year. A number of the properties on the southern end of the site at that point are bungalows. Therefore this reduces impacts with overlooking and overbearance. While it is acknowledged that there is a change in levels between the site and Cae Ffynnon it is felt that with the design, orientation and position of the dwellings and windows that there would not be any significant impacts on the existing properties.

Many comments related to the additional area of land included in this application at the eastern side of the site and the impacts from the new properties here on the existing ones on High Street. Most of the properties on High Street are located at the front of their plots directly on to High Street. The new properties have been orientated so that they are not directly facing the existing properties along High Street. The nearest distance between

proposed and existing rear elevations for the properties are in the region of 22m. While there is a difference in land levels it is felt that the separation, along with the orientation is sufficient. It is also considered that sufficient amenity space is provided for the proposed dwellings themselves. Along the boundary with the school and the eastern plots there is proposed to be a new hedgerow planted and there would also be a 1.8m close boarded fence. The same type of fence is proposed along the boundary with the rear gardens of the properties along High Street.

There is one property accessed off High Street that is set back significantly further than the others. This property is located adjacent to the boundary with the application site and does have a window facing on to the site. Originally the proposal showed garden space for a new dwelling up to the boundary and 1.8m high close boarded fence at the boundary. While it is noted that a 2m boundary treatment could be erected on the boundary without planning permission it was felt that this gave rise to concerns over the amenity of the occupant of that dwelling. Therefore amendments were requested and subsequently the scheme was amended. The rear gardens of the plots 6 and 7 have been reduced and set in from the boundary with the High Street property. A triangular piece of land is now no longer part of the amenity space for the proposed dwellings. The applicant has indicated that this area of land would be transferred to the owners of the adjacent property. This would increase the amenity space for the proposed dwelling and has created a greater separation between the existing and proposed dwellings. The transfer of the land would be a separate matter however it is felt that with the area of land removed from the proposed new dwelling amenity space that the impacts on amenity have been removed to a level where it is considered the application can be recommended for approval. A condition will be added to prevent this area of land being used as amenity space in relation to any of the new dwellings. Conditions are also recommended in relation to the provision of the boundary treatments to ensure these are in place prior to occupation of the new dwellings.

Impacts from noise from domestic animals or activities in the gardens of the new properties were raised. It is not felt these would be out of the ordinary or that they would be of a level to alter the recommendation of approval. Reference to rate at/near the site have been referred to however again any associated issues are not considered to warrant refusal of the application or for further details to be submitted. Pollution has been mentioned however again subject to the imposition of the suggested conditions, and based on there being no objections from any statutory consultees in relation to this, it is not felt there are any significant concerns from the proposal.

Design

The proposal is for a mix of detached and semi-detached properties. There is also a mix of bungalows and 2 storey properties. The external materials of the dwellings were altered to be more in keeping with the character of the area having a render finish. With these changes it is considered that the scheme does not harm the character of the area and provides an appropriate mix of dwelling types and tenures.

The site is a cul-de-sac development with much of the layout dictated by the constraints of the shape of the site. Comments are made elsewhere in relation to impacts on amenity. The road itself has curves to it and the building line is not rigid. The layout of much of the western end of the site is similar to that of the previously approved application. As such it is felt that design of the layout is appropriate.

Drainage and Flooding

A number of concerns have been raised over potential drainage and flooding. The concerns relate to surface water drainage and issues of drainage in and around the site at present. There are similar concerns with the existing capacity of the public sewer and its ability to take on any further connections.

The application was accompanied by a drainage statement. This states that Geo-technical site investigations were carried out in 2009 and soakaway tests in 2014. The soakaway test confirmed that the ground strata beneath the proposed development site is unsuitable to support soakaways for surface water. Therefore the option of discharging to the Afon Cywyn is proposed and the report considers this to be the most suitable means of surface water disposal. The dwelling roof and drive/parking areas along with highway surface water run-off are to be collected via a gravity solid walled pipe network. This will pass through an attenuator with the flow controlled with storage. The report refers to the storage being underground however during the application other alternatives have been suggested.

The previous applications approved last year indicated drainage would run through the Cae Ffynnon estate road, across to land on the other side of the road before connecting in to the watercourse. This proposal indicates a similar proposal with the route being along the new road now proposed but still crossing the road to the watercourse. During the application further details were requested and suggestions made in relation to the nature of storage. The applicant has suggested that the storage of the water may now take place above ground at a location on the other side of High Street. This may involve land outside of the application site and therefore cannot form part of this application. It is proposed for a separate application to be made for the drainage system. However there are potential options within the current application site which could be used for surface water drainage. Therefore as with the previous application, and as Welsh Water have suggested a condition is recommended with any approval. If the above ground storage solution is pursued by the applicant then if that is also approved the 2 permission could be tied as part of a Section 106 Agreement.

The report states that for foul water drainage flows are to connect to the public sewer system via a gravity flow solid walled pipe system. In relation to foul drainage Welsh Water have responded and raise no objection to the proposed development. They comment that only foul water should be allowed to be connected to the public sewer system. They also refer to a condition requiring full details of the drainage system to be submitted and agreed for foul and surface water prior to the commencement of the development.

Landscape and Ecology

Concerns regarding the impacts of the proposal on landscape features was raised and perceived impacts on ecology. As with the previous application there was no ecological surveys submitted with the application. Due to the nature of the site it is not considered that such surveys were necessary in this instance. The site area is larger in this application however the additional land is part of the same field. Planting is proposed along the new northern boundary and also other element of planting across the site.

During the application comments were received from the Planning Ecologist and the Landscape Officer. Both requested further/amended information. **The applicant has subsequently submitted amended details. The recommendation is made subject to favourable comments being received from these consultees on the amended details**

Public Rights of Way

Some objections have been received relating to impacts on the existing public right of way and that the proposal may lead to a conflict between different users. The proposed vehicle access is along the route of an existing public right of way. The right of way continues north along a track whereas the proposed road would go west in to the main part of the site. There is only an overlap of approximately 50m. The existing access is currently used by vehicles accessing the row of bungalows to the east of the access, the application fields and other farms to the north. Therefore it is already used by different pedestrians and vehicles. The proposed development would create a formal layout for the first 50m of the path with a surfaces to adoptable standards and a footway.

The Public Rights of Way Section were consulted on the application and has raised no objection. They have referred to the need to have separate consent for any works that alter the route or the surface of the PROW. It has also been clarified by the Adoptions Section of the Authority that is the new road is adopted the affected area of the path would be removed from the Definitive Map as the route would subsequently have higher rights.

Other Matters

Non-material planning considerations such as loss of views and impacts on property values were raised. Reference to the pre-application consultation carried out by the applicant and the consultation during the application were raised. There was an issue with the pre-application consultation over the address of one adjacent property. Subsequently the occupants' response was included in the pre-application document. Some comments were made that the response to the pre-application consultation by the applicant was not sufficient and/or did not address the issues raised. The consultation was carried out in accordance with the legislation and while those who responded may not agree with the applicant response they have outlined the issues raised and given their opinion. The planning application was advertised in the local press and several site notices erected around the village. Following the revision to the site to include the paths and drainage routes the publicity was repeated. This complies with the relevant legislation.

Questions over the viability of the previous scheme were raised however this is not considered to be relevant. The proposal as submitted needs to be assessed. There were questions over the details of the plans and availability on the website of responses however it is felt sufficient information has been provided by the applicant.

Comments in relation to further properties not having been included at Cae Ffynnon as to allow for possible future development were made. Again the current application needs to be assessed against the current and relevant policies and considerations. Whether further development could have or may in the future be proposed at Cae Ffynnon is not considered relevant to the assessment of this application.

Comments were received from the Minerals Team in relation to the ground works involved at the site. Carmarthenshire LDP MPP3 Mineral safeguarding notes the importance of safeguarding access to minerals and states that planning permission will not be granted for proposals where they would permanently sterilise mineral resources. The Minerals Team noted that the location of this development, and the underlying mineral resource is adjacent to residential dwellings and a school, and current policy may render the reserve unfavourable. They have no objection with regard to its impact on mineral safeguarding.

Further comments have been made regarding the earthworks at the site. Further information will be required on the treatment of soils. While the proposed development would involve earthworks it is not felt these are significantly greater than most schemes of this nature and size. Cross sections and levels details have been provided which show the proposed works. It is not felt that additional details are necessary.

The impact on the Welsh language and the possible impact on the Category 'A' School adjacent were raised as concerns. As referred to above the school have not objected to the proposal other than concerns over surface water drainage. The additional units would help support the school which is below capacity at present. A contribution towards Education is also proposed and would be secured through a Section 106 Agreement. 12 of the 30 units would be affordable units available for rent. 17 units were approved previously and therefore there is an additional 13 now being proposed. 12 of these are the affordable units which would provide opportunities for those no able to purchase open market houses and could allow people to remain within the areas if the additional affordable units were not provided. Overall it is not considered that the proposal would have significant impacts on the Welsh Language and it is not felt that the proposal would need to be phased to control such impacts.

General comments in relation to the proposal being contrary to planning policy and the site being partly outside development limits. The report has outlined why it is felt the application complies with the relevant polices and explains the justification for units being allowed outside of development limits.

CONCLUSION

In conclusion and having regard to prevailing planning policies and material considerations, it is considered the development complies with the relevant policies of the Carmarthenshire Local Development Plan or national guidance. It is therefore recommended for approval subject to a Section 106 Agreement.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted 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:
 - 1:1250 scale Location Plan (LP-01 B)
received on 17th July 2017
 - Landscape Report
 - 1:100 and 1:50 scale House Type 3 (04-A)
 - 1:100 and 1:50 scale House Type 4 (05-A)
 - 1:100 and 1:50 scale House Type 5 (06-A)
 - 1:100 and 1:50 scale House Type 6 (07-A)
 - 1:100 and 1:50 scale House Type 7 (08-A)
received on 5th June 2017

- Tree Survey and Arboricultural Impact Assessment received 21st April 2017
- Drainage Strategy Report received 7th March 2017
- 1:500 scale Site Layout Plan (01 Rev D)
- 1:100 and 1:50 scale House Type 1 (02-B)
- 1:100 and 1:50 scale House Type 2 (02-B)
- 1:500 scale Landscape Plan TW4016/2
- 1:500 scale Tree Protection Plan TW3867/2 received on 12 September 2017

- 3 The proposed boundary treatments for each dwelling shall be erected/provided prior to the beneficial use of that dwelling and retained in perpetuity.
- 4 No development shall commence until details of a trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary with the site. The fence shall be erected prior to the beneficial use of any of the dwellings hereby approved and retained in perpetuity.
- 5 No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development.
- 6 No construction works shall commence until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed.
- 7 No development shall commence until, a scheme for the control of noise shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
- 8 The land annotated as "Land to be transferred to Existing No 6" on the 1:500 scale Site Layout Plan ref 01 Rev D received on 12 September 2017 shall at no time be used as amenity space for any of the dwellings hereby approved.
- 9 No development shall commence until full details of the materials, gradient and associated boundary treatments for the 2 areas annotated as Proposed Pedestrian Foot Path Link of the 1:500 scale Site Layout Plan ref 01 Rev D 12 September 2017 are submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented as agreed. The paths provided in accordance with these details prior to the occupation of any of the dwellings hereby approved. The path shall be retained, unobstructed in perpetuity.
- 10 During the demolition and construction phases, no works or demolition or construction shall take place other than within the hours of 07:30 – 18:00 Monday – Friday, Saturday 07:30 – 13:00 and not at all on Sundays, Bank or Public Holidays

- 11 Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.5 metre carriageway, 1.8 metre footways, and 6.0 metre kerbed radii at the junction with the C2042 road
- 12 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 59 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of C2042 carriageway. In particular there shall at no time be any growth or obstruction over 0.9m within this splay area.
- 13 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent estate road carriageway crown, over the site's whole estate road frontage within 2.0 metres of the near edge of carriageway.
- 14 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.
- 15 Prior to the occupation of any of the dwellings herewith approved, the required access roads and footways from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.
- 16 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 17 No development shall commence until details of a Traffic Management Scheme have been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be fully implemented prior to the occupation of any of the dwellings hereby approved.
- 18 Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number SN32186202 and SN32186201 as indicated on the extract of the Sewerage Network Plan attached to response from Welsh Water dated 17th August 2017.

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 To protect amenity levels of adjacent properties and in the interest of visual amenity.
- 4 To ensure appropriate barrier between the site and the adjacent railway line.

- 5,18 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.
- 6,7
10 To ensure that the amenity of local residents/businesses is adequately protected during construction.
- 8 In order protect amenity levels of the adjacent occupier.
- 9 To ensure that the site has appropriate permeability and connectivity.
- 11-17 In the interest of highway safety.

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 proposed development complies with Policy H1, AH1, AH2, GP1, GP2, GP3, MPP2, MMP3, GP4, SP17, TR3, SP9, SP6, SP14, SP5, TR4, EP3, REC2 and SP1 of the adopted Local Development Plan in that the due to the location of the site and the surrounding development there are no concerns with impacts on future mineral extraction. The proposal provides a contribution over and above the level required for residential development in this area. The dwellings located outside development limits but adjacent to the limits and represents a logical extension to the settlement. Their affordability is to be secure through a legal agreement and there is a need for the housing this type of housing has been identified. The scale and design of the dwellings are appropriate and again meet the identified need in for the area. The overall design, appearance and scale of the development is appropriate and in keeping with the character of the area. There are no concerns in relation to highway safety or traffic generation with appropriate standards being provided for access and parking. Further measures are secured through conditions. The scheme includes appropriate provision of public open space to be secured through legal agreement and a contribution towards education is also provided in accordance with the relevant standards. Subject to conditions it is considered that appropriate surface water drainage can be achieved. The residential part of the site is not located in a flood zone and the proposal would not lead to concerns over the public sewer. The development provides appropriate connectivity and permeability to allow easy pedestrian access to and from the site and surrounding facilities and no concerns regarding impacts on the public right of way at the site. Subject to conditions there are no significant concerns regarding the developments impact on ecology or landscape features. A large part of the site consists of land allocated for residential development in the LDP. The density, layout, scale and massing of the development is considered appropriate. Subject to conditions imposed it is not felt that there are any significant impacts on amenity of residents of existing properties of a scale to warrant refusal of the application.

NOTES

The applicant is advised that this planning permission is subject to the applicant/developer first entering in to a Section 106 Agreement for a contribution towards community benefits in relation to:

- provision of public open space/play facilities and securing a long term management and maintenance agreement for these areas,
- financial contribution towards Education in the for the sum of £19,000,
- provision of 12 affordable dwellings.

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

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)

Application No	W/35973
-----------------------	----------------

Application Type	Conservation Area Consent
Proposal & Location	NEW PUBLIC SQUARE, CAFÉ AND SMALL BUSINESS UNITS TO EXISTING PUBLIC REALM REQUIRING THE REMOVAL OF EXISTING WALLS/RAILINGS AT JACKSONS LANE SQUARE, CARMARTHEN, SA31 1QD

Applicant(s)	CARMARTHENSHIRE COUNTY COUNCIL – MIKE BULL, BUSINESS DEVELOPMENT CENTRE, NANT-Y-CI, CARMARTHEN, SA33 5DR,
Agent	CAPITA – MR JAMES MORRIS, MAIN AVENUE, TREFOREST INDUSTRIAL ESTATE, PONTYPRIDD, CF37 5BF,
Case Officer	Stuart Willis
Ward	Carmarthen South
Date of validation	15/08/2017

CONSULTATIONS

Carmarthen Town Council – Have not commented on the Conservation Area Consent. Comments were made on the full planning application which did not object to the proposal but made recommendations:

Local Member - County Councillor G John and A Lenny (Chair of the Planning Committee) have not commented to date.

Neighbours/Public - The application has been publicised by the posting of Site Notices and advertised in the local press with no responses having been received to date.

RELEVANT PLANNING HISTORY

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

W/35554	New public square, café and small business units to existing public realm Full Planning Permission	5 September 2017
W/30943	Proposed 1 X DSLAM green telecomms cabinet on a concrete plinth Telecom prior approval not required	30 September 2014

W/21169	Erection of a two-storey building for retail shops and offices Outline planning permission	10 September 2009
W/00768	Siting of a retail development Outline planning permission	12 September 1997
D4/24093	Public Garden County Permission Under Regulation 4	18 November 1993
D4/24092	Construction of shop units County Permission Under Regulation 4	18 November 1993
D4/23447	Public Gardens County Permission Under Regulation 4	15 July 1993
D4/23446	Siting of a shop unit County Permission Under Regulation 4	15 July 1993
D4/19189	Area Directors office together with the lobby banking facility Outline planning refused	20 September 1990
D4/18254	Siting of retail development County Permission Under Regulation 4	12 September 1989
D4/13725	Siting of retail development and public garden area County Permission Under Regulation 4	28 July 1986
D4/13692	Construction of 3 no lock up shops and offices No Decision	
D4/12879	Siting of 3 no lock-up shops with office cover Outline planning permission	17 October 1985

APPRAISAL

The application is one where as Carmarthenshire County Council have an interested in the site in terms of land ownership and are the applicants.

THE SITE

The application site is an area of land which is currently forms part of the public square off Jacksons Lane. The site is located along Jackson's Lane, which is a pedestrian route running from King Street to Chapel Street in Carmarthen. The site is located in the centre of Carmarthen. Chapel Street then runs along to join up with the commercial area at Red Street. The land slopes from the south towards Chapel Street at the northern end. There are buildings to the southern and eastern sides of the square. The western elevation has a stone all with the rear of commercial properties backing on to the square. The northern end of the square is open on to Chapel Street.

The existing properties along Jacksons Lane and facing on to the square are generally of commercial nature. There are some residential properties however they buildings are primarily in A1 (retail) or A3 (hot food and drink) use. In the square itself there are a number of trees and various seating areas with benches and walls. There are paths around the square. Along the eastern edge of the square there is a stone wall running north/south. The north part of the square is currently grassed although occasionally used for informal parking. Bins for the properties on the square are stored in the centre of the site at present.

The site is located within the defined Town Centre of Carmarthen as delineated in the Carmarthenshire Local Development Plan (LDP). The land at the northern end of the site, currently grassed, is shown to be located within the area defined as the Primary Retail Frontage. The existing commercial premises to the southern end and the west of the site are also designated as Primary Retail Frontage. This is also the case for the properties adjacent to the access from King Street. The premises on the eastern side of the square are designated as Secondary Retail Frontage. The square itself has no specific designation.

The proposal is indicated to be a further stage of a wider redevelopment of this part of the town centre. Further development has been suggested connecting Red Street to King Street via Jacksons Lane. Planning permission has already been granted for a row retail kiosks on the corner of Red Street and Chapel Street earlier this year (W/34922) at planning committee.

A public consultation exercise was undertaken including a public consultation held on the 14th – 16th of September 2016 at Myrddin Day Centre in John Street, Carmarthen by the Economic Development section of the Authority.

The existing square/gardens were created by the Carmarthen District Council in the 1990's following planning permission in 1993. Planning permission was given the same year for the construction of shop units on the southern end of the square. In 2009 planning permission was granted for a 2 storey building on part of the northern end of the square currently grassed. This was not implemented and subsequently lapsed. There was also permission granted in 1997 for a mixed use development of A1, A2 and A3 uses along with residential use. Historically the land had previously been part of the curtilages of the buildings around the area rather than public space and there were buildings on the lower (northern) part of the site.

There was an associated full planning application submitted under W/35554 for the same proposal. This was approved at planning committee on 5th September 2017 following a site visit by members subject to additional conditions relating to landscaping and materials.

THE PROPOSAL

The application seeks Conservation Area Consent for the removal/demolition of certain walls and railings on the site to accommodate the new development.

PLANNING POLICY

In the context of the current development control policy framework the site is located within the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

Policy SP8 Retail states that proposals will be permitted where they maintain and enhance the existing retail provision within the County, and protect and promote the viability and vitality of the defined retail centres. Proposals for small local convenience shopping facilities in rural and urban areas where they accord with the settlement framework will be supported.

Policy RT1 Retail Hierarchy states that proposals will be considered in accordance with the following retail hierarchy. Regard will be had to a settlement's position within the hierarchy when considering retail proposals (including new, change of use, or redevelopment). Regard will also be had to the policies and proposals of this Plan.

Policy RT2 Principal Centres (Growth Areas): Primary Retail Frontage relates to proposals for non-retail uses (including the change of use and/or redevelopment of existing retail premises) and states they will not be permitted on ground floor frontages of the primary retail frontage of the designated Principal Centres. Changes between existing non-retail uses within primary frontage areas will be permitted where it is a use applicable to the town centre and is not detrimental to the general retail character.

Policy RT3 Principal Centres (Growth Areas): Secondary Retail Frontage states proposals for non-retail uses (including the change of use and/or redevelopment of existing retail premises) will be permitted on ground floor frontages of the defined Secondary Retail Frontage of the designated Principal Centres where they would:

- a) Not lead to a concentration of ground floor non-retail (non A1) frontage exceeding four consecutive properties, or a concentration of non-retail (non A1) properties in the same use class exceeding three consecutive properties;
- b) Not undermine the retail function of the centre or have a detrimental effect upon the vitality or viability of the area;
- b) Not create a level of non-retail ground floor frontage detrimental to the retail character and function of the area.

Policy RT4 Principal Centres (Growth Areas): Town Centre Zone states proposals for the change of use and/or re-development for non-retail uses within a Town Centre Zone (excluding areas identified as within the Primary Retail Frontage and Secondary Retail Frontage) as defined in respect of a designated Principal Centre (Growth Areas) will be permitted where it achieves a diversity of uses appropriate to a town centre location and does not have an adverse impact on its function, visual character and quality.

Policy EP2 Pollution states that proposals for development should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate that they:

- a) Do not conflict with National Air Quality Strategy objectives, or adversely affect to a significant extent, designated Air Quality Management Areas (permitted developments may be conditioned to abide by best practice);

- b) Do not cause a deterioration in water quality;
- c) Ensure that light and noise pollution are where appropriate minimised;
- c) Ensure that risks arising from contaminated land are addressed through an appropriate land investigation and assessment of risk and land remediation to ensure its suitability for the proposed use.

Policy EP3 Sustainable Drainage states proposals for development will be required to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Drainage Systems (SUDS), has been fully investigated. The details and options resulting from the investigation must show that there are justifiable reasons for not incorporating SUDS into the scheme in accordance with section 8 of TAN 15.

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that *“it 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”*, *“it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community”* and *“an appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality”*.

Policy TR3 Highways in Developments - Design Considerations outlines a number of matters to be considered included suitable access and parking and to ensure highway safety is not adversely affected for users of the roads/streets.

Policy SP16 Community Facilities is applicable and refers to informal and formal leisure and recreation facilities. The policy states the LDP will support the provision of new facilities, along with the protection and enhancement of existing facilities, in accordance with the settlement framework and based upon evidence of need.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles. This relates to a number of factors including by distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements; promoting, where appropriate, the efficient use of land including previously developed sites; integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations; respecting, reflecting and, wherever possible, enhancing local character and distinctiveness; creating safe, attractive and accessible environments which contribute to people’s health and wellbeing and adhere to urban design best practice; promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling; utilising sustainable construction methods where feasible; improving social and economic wellbeing; and protect and enhance the area’s biodiversity value and where appropriate, seek to integrate nature conservation into new development.

Policy SP3 Sustainable Distribution – Settlement Framework states that the provision for growth and development will be at sustainable locations in accordance with the Settlement Framework identified in the LDP.

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

Policy GP4 Infrastructure and New Development states that proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by (or an appropriate contribution is provided by) the developer.

Policy SP13 Protection and Enhancement of the Built and Historic Environment states that development proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets (outlined below), and, where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- a Sites and features of recognised Historical and Cultural Importance;
- b Listed buildings and their setting;
- c Conservation Areas and their setting;
- d Scheduled Ancient Monuments and other sites of recognised archaeological importance.

Proposals will be expected to promote high quality design that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

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

The Listed Buildings and Conservation Areas Act which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area. Reference is also made to the setting of listed buildings.

Technical Advice Note (TAN) 24: The Historic Environment (2017) and Chapter 6 of Planning Policy Wales (The Historic Environment) are relevant considerations.

Technical Advice Note (TAN) 23: Economic Development (2014) and Technical Advice Note (TAN) 12: Design (2016) are also of relevance.

Chapter 10 of Planning Policy Wales "Retail and Commercial Development" applies as does TAN4 of the same title.

THIRD PARTY REPRESENTATIONS

No adverse representations received to date. The submission is before the Planning Committee as the Authority are the applicants/owners of the site.

The key consideration for the Conservation Area Consent is the impact on the Conservation Area and the justification for the works requiring consent, which, in this instance is the removal of certain walls and railings at the site. The majority of the walls to be removed are to be rebuilt. The section along Jacksons Lane itself is to be removed as part of the wider development to accommodate a level central area to the Square. The walls and railings are then to be rebuilt, walls in stone to similar heights and appearance to the existing ones. The walls to the opposite side (west) are to be removed again as part of the alteration to land levels at the site and also to allow the construction of the new buildings proposed. There is a section between the existing and proposed buildings that would again be rebuilt in similar materials and to a similar height. It is felt that the overall benefits of the scheme as outlined previously in the report for the full planning permission and the fact that much of the walls to be removed are to be rebuilt outweigh any harm to the Conservation Area.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable. The full planning application was recently approved at planning committee and it is felt that the justification for the works, along with the benefits that the scheme would give and the large element of rebuilding of features removed outweigh any harm caused by the proposal to the Conservation Area.

As such the application is put forward with a recommendation of approval for the following reasons.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 No work for the demolition of the walls or railings shall commence until such time as the applicant or their agents or successors in title have secured a time specific contract for the demolition of the existing building and planning permission obtained for the construction of the replacement structure.
- 3 The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
 - Surface Water Drainage Strategy received 20th July 2017
 - 1:200 scale Proposed Site Sections (400012) received on 28th June 2017
 - 1:200 scale Existing and Proposed Drainage runoff Areas (0503 P01)
 - 1:50 scale 1:20 scale Drainage Details (0505 C01)
 - 1:100 scale Plans, Elevations and Section, Phase 1 (400006 Rev1)
 - 1:100 scale Bin Store Plan and Elevations (400011 Rev 1)

- Drainage Storage Calculations (Micro Drainage)
- 1:200 scale Proposed Site Plan (40002)
- 1:200 scale Existing and Proposed Site Sections (40003 Rev 1)
- 1:50 scale Detail Design – Sheet 1 of 2 (400004 Rev 1)
- 1:100 scale Elevations and Sections – Sheet 1 of 2 (400005 Rev 1)
- 1:25 and 1:20 scale Detail Design – Sections, Plan and 3D View (400007 Rev 1)
received on 15th June 2017

- 1:100 scale Proposed Street Lighting (1301 P00)
received 13th June 2017

- Historic Environmental Appraisal
received on 24th May 2017

- 1:50 scale Detailed Design – Sheet 2 of 2 (400005)
- Location Plan
- Design and Access Statement
- 1:100 scale Proposed Drainage Layout (P01)
received 16th May 2017

- 4 No development shall commence until samples/details of all external materials have been submitted to and agreed in writing by the Local Planning Authority. The materials shall be implemented as agreed.

- 5 No development shall take place until an appropriate and comprehensive Detailed Landscape Design Scheme, which includes an implementation programme and details of boundary treatments for the site, has been submitted to and approved in writing by the local planning authority.

- 6 The Detailed Landscape Design Scheme, as submitted to discharge condition 5 above shall be fully implemented in the first available planting and seeding seasons following the commencement of the development unless otherwise agreed in writing by the local planning authority.

Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design Scheme which, within a period of 5 years after implementation are removed; die; or become in the opinion of the local planning authority, seriously diseased; damaged or otherwise defective, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

REASONS

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

- 2 In order to ensure that the site is no left vacant and derelict, and the replacement dwellings are constructed within a reasonable period of time form the commencement of the demolition work.

- 3 In the interest of clarity as to the extent of the permission.

- 4 In the interest of visual amenity and to ensure the development is appropriate to the character of the area.
- 5-6 To ensure that the development effectively delivers the relevant policy objectives of the approved Detailed Landscape Design Scheme.

REASONS FOR GRANTING CONSERVATION AREA CONSENT

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 proposal complies with Policies EQ1 and GP1 of the adopted Local Development Plan in that it is an appropriate form of development, which is not likely to cause unacceptable harm to the Conservation Area. On balance the proposal is acceptable and would bring about economic benefits to this area of town.
- It is considered that the proposed development complies with S.72 of the Listed Buildings and Conservation Areas Act which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area. In that on balance the development overall is not harmful to the character of the Conservation Area.
- It is considered that the proposed development complies with S.66 of the Listed Buildings and Conservation Areas Act which requires special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. In that it is not considered the development has any significant detrimental impacts on the setting of the listed building.

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).

PLANNING COMMITTEE

THURSDAY, 27TH JULY, 2017

PRESENT: Councillor A. Lenny [Chair]

Councillors:

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

The following Officers were in attendance:

Mrs L. Quelch - Head of Planning
 Mr G. Noakes - Senior Development Management Officer (East)
 Mr J. Thomas - Senior Development Management Officer (South)
 Mr S. Thomas - Senior Development Management Officer (West)
 Mr S. Murphy - Senior Solicitor
 Mr K. James - Assistant Engineer Planning Liaison
 Mrs M. Evans Thomas - Principal Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 a.m. - 11.20 a.m.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J.A. Davies and B.A.L. Roberts.

2. DECLARATIONS OF PERSONAL INTERESTS

Mrs Llinos Quelch, Head of Planning declared an interest in the following applications as she knows the applicant:-

W/34736	Change of Use of former chapel to camera shop. Works to include the removal of fixed pews, a large number of repairs to the existing building, the introduction of a new mezzanine floor and staircase, new internal security shutters to the ground floor windows and the widening of an external doorway to the rear of the building at Zion Chapel, Mansel Street, Carmarthen, SA31 1QZ [Full Planning]
W/34737	Change of Use of former chapel to camera shop. Works to include the removal of fixed pews, a large number of repairs to the existing building, the introduction of a new mezzanine floor and staircase, new internal security shutters to the ground floor windows and the widening of an external doorway to the rear of the building at Zion Chapel, Mansel Street, Carmarthen, SA31 1QZ [Listed Building]

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/Addendum of the Head of Planning and or reported at the meeting:-

E/34907	Mixed Use Development Consisting of A1, Office and Residential Elements at Former Police Station and Courthouse Site, Margaret Street, Ammanford, SA18 2NP
E/35622	Conversion of Former Courthouse to Offices at Former Courthouse, Margaret Street, Ammanford, SA18 2NP

4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS

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

S/35440	Residential development – demolition of existing bungalow and replace with 3 bedroom residential dwelling at O'keip, Ocean View, Burry Port, Carmarthenshire, SA16 0DW
---------	--

- 4.2 **UNANIMOUSLY RESOLVED** that consideration of the following planning applications be deferred to enable the Committee to undertake site visits:-

S/34537	<p>Construction of 8 houses together with associated vehicular and pedestrian accesses, car parking, landscaping, drainage and other ancillary development at land on eastern side of Heol Bronallt, Hendy, Llanelli.</p> <p>REASON: To enable the Committee to assess the suitability of the site in view of concerns regarding the steepness of the site and access issues.</p>
S/35403	<p>Outline application for residential development at land adjacent to 32 Erw Terrace, Burry Port, Llanelli, Carmarthenshire, SA16 0DA</p> <p>REASON: To enable the Committee to view the site following concerns regarding highway safety.</p>

5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS

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

W/35451	Change of use of 4 redundant stone barns to 4 units of residential accommodation with associated garages and stores at Penybont, Meidrim, Carmarthen, SA33 5QL
---------	--

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

W/34736	<p>Change of use of former chapel to camera shop. Works to include the removal of fixed pews, a large number of repairs to the existing building, the introduction of a new mezzanine floor and staircase, new internal security shutters to the ground floor windows and the widening of an external doorway to the rear of the building at Zion Chapel, Mansel Street, Carmarthen, SA31 1QZ</p> <p>[NOTE: Mrs Llinos Quelch, Head of Planning, had earlier declared an interest in this application and left the meeting prior to the consideration and determination thereof.]</p>
W/34737	<p>Change of use of former chapel to camera shop. Works to include the removal of fixed pews, a large number of repairs to the existing building, the introduction of a new mezzanine floor and staircase, new internal security shutters to the ground floor windows and the widening of an external doorway to the rear of the building at Zion Chapel, Mansel Street, Carmarthen, SA31 1QZ</p> <p>[NOTE: Mrs Llinos Quelch, Head of Planning, had earlier declared an interest in this application and left the meeting prior to the consideration and determination thereof.]</p>

6. **MINUTES - 13TH JUNE 2017**

RESOLVED that the minutes of the meeting of the Committee held on 13th June, 2017 be approved and signed as a correct record.

CHAIR

DATE

[Please note: these minutes reflect the order of business itemised on the Agenda for the meeting, which may differ from that on any webcast recording as applications with members of the public attending to speak would have been dealt with first.]

PLANNING COMMITTEE

Tuesday, 8 August 2017

PRESENT: Councillor A. Lenny (Chair)

Councillors:

S.M. Allen, J.M. Charles, I.W. Davies, J.A. Davies, P.M. Edwards, W.T. Evans, J.K. Howell, J.D. James, A.C.J. Jones, D. Jones, M.J.A. Lewis, K. Lloyd, K. Madge and B.A.L. Roberts

Also in attendance:

Councillor E.G. Thomas who addressed the Committee in respect of Planning Application E/35395.

The following Officers were in attendance:

L. Quelch, Head of Planning;
G. Noakes, Senior Development Management Officer [East];
S. Murphy, Senior Solicitor;
J. Owen, Democratic Services Officer.

Chamber, County Hall, Carmarthen - 12.00pm - 1.00pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L. Bowen, J. Gilasbey, H.I. Jones and J.E. Williams.

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
K. Lloyd	3.1 – Planning Application E/35395 - Retrospective Permission for already constructed brewery shed in situ on land at Evan Evans Brewery, 1 Rhosmaen Street, Llandeilo, SA19 6LU	Member of the Campaign for Real Ale
A. Lenny	3.1 – Planning Application E/35395 - Retrospective Permission for already constructed brewery shed in situ on land at Evan Evans Brewery, 1 Rhosmaen Street, Llandeilo, SA19 6LU	Member of his family works in the similar line of business.

Officer	Minute Number	Nature of Interest
L. Quelch Head of Planning	3.1 – Planning Application E/35395 - Retrospective Permission for already constructed brewery shed in situ on land at Evan Evans Brewery, 1 Rhosmaen Street, Llandeilo, SA19 6LU	Not disclosed.

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

3.1. E/35395 - RETROSPECTIVE PERMISSION FOR ALREADY CONSTRUCTED BREWERY SHED IN SITU ON LAND AT EVAN EVANS BREWERY, 1 RHOSMAEN STREET, LLANDEILO, SA19 6LU

The Chair, Councillor A. Lenny having earlier declared an interest in this application and in the absence of the Vice Chair, Councillor H.I. Jones, sought nominations to Chair Agenda Item 3.1.

It was **UNANIMOUSLY RESOLVED** to appoint Councillor T. Evans as Chair for Agenda Item 3.1.

The Chair, Councillor A. Lenny vacated the chair and left the meeting during its determination. Councillor T. Evans, chaired the meeting in the Chair's absence.

[Note, Councillor K. Lloyd and Mrs L. Quelch, Head of Planning having earlier declared an interest in this application also left the Chamber during its determination.]

The Development Management Officer (East) referred to the private site visit undertaken by the Committee earlier that day (see Minute 3.3 of the Planning Committee Meeting on the 29th June, 2017), the reasoning for the site inspection to afford the committee the opportunity of viewing the development from the objector's perspective and to see the building within the context of the brewery site as a whole. He referred, with the aid of presentation slides, to the written report of the Head of Planning which provided an appraisal of the site together with a description of the proposed development, a summary of the consultation responses received and information on the local and national policies which were relevant to the assessment of the application. The Committee was advised that the Head of Planning was recommending refusal of the application for the reasons detailed within the written report.

A representation was received from the local member who spoke and conveyed his initial concern regarding the '*temporary structure on the site*' and offered the following observations which reiterated the points detailed within the Head of Planning's written report:-

- "The local Town Council have queried that this building is classed as a "temporary building" but it seems to me it is a permanent building with a likely lifespan of more than 10 years. So I cannot understand why it is classified as "temporary";
- While it is regrettable that the building has already been erected prior to planning permission being obtained, it is located in a commercial area of the town;
- There have been no objections from nearby neighbours;
- Residents along Heol Bethlehem, across the valley, have expressed concern with regard to the size of the building, disruption to their view and light pollution;
- This retrospective application is for a different type of building to the more traditional design that was granted planning permission under reference E/27895;

- The application should not be an officer decision 'in view of the past history with the local office'. No clarification has been provided with regard to the purported 'past history';
- The bottling plant provides important employment in a rural community.

The Local Member concluded by informing the Committee that he was in support of the application.

The Development Management Officer (East) responded to the issues raised.

RESOLVED that planning application E/35395 be approved, contrary to the recommendation of the Head of Planning, as the Committee was satisfied that the building was erected as a temporary building and that the business had the potential to support the local economy by safeguarding existing jobs and providing future jobs.

3.2. E/35434 - SECOND STOREY EXTENSION ABOVE EXISTING GROUND FLOOR REAR EXTENSION AT 3 CAEFFYNNON, LLANDYBIE, AMMANFORD, SA18 2TH

The Development Management Officer (East) referred to the private site visit undertaken by the Committee earlier that day (see Minute 3.3 of the Planning Committee Meeting on the 29th June 2017), the purpose of which had been to enable the Committee to view the site to assess whether the proposal could adversely impact on the amenity of the neighbouring properties in terms of loss of light. He referred, with the aid of presentation slides, to the written report of the Head of Planning which provided an appraisal of the site together with a description of the proposed development, a summary of the consultation responses received and information on the local and national policies which were relevant to the assessment of the application.

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

RESOLVED that planning application E/35434 be granted subject to the conditions detailed within the Head of Planning's written report.

CHAIR

DATE

This page is intentionally left blank

PLANNING COMMITTEE

THURSDAY, 24TH AUGUST, 2017

PRESENT: Councillor A. Lenny [Chair]

Councillors:

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

Also in attendance:

Councillor A. James, who addressed the Committee in respect of Planning Application E/33695
Councillor G. Thomas

The following Officers were in attendance:

Mr J. Edwards - Development & Built Heritage Manager
Mr R. Jones - Development Management Officer (West)
Mr R. Davies - Development Management Officer (South)
Mr K. Phillips - Development Management Officer (East)
Mr T. Boothroyd - Development Management Officer (South)
Mr S. Murphy - Senior Solicitor
Mr K. James - Assistant Engineer Planning Liaison
Mrs M. Evans - Principal Democratic Services Officer
Thomas

Chamber, County Hall, Carmarthen : 10.00 a.m. - 11.35 a.m.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D. Jones, H.I. Jones and B.A.L. Roberts.

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
J.D. James	4.1 – Planning Application S/34402 – Demolition of former Copperworks School and develop up to 9 new homes at former Copperworks Infants School, land at Morlan Terrace, Burry Port, SA16 0ND.	He is a patron of Burry Port Town Band.

3. AREA EAST - 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 Planning and or reported at the meeting:-

E/35527	<p>Detached garage at 1 Bryn Road, Penygroes, Llanelli, SA14 7PW</p> <p>[NOTE: Officers pointed out that there was a discrepancy in the plans for this application and clarified that reference to east and west was incorrect and should be reversed.</p>
---------	---

3.2 UNANIMOUSLY RESOLVED that consideration of the following planning application be deferred to enable the Committee to undertake a site visit:-

E/33695	<p>Full planning for the erection of a poultry unit on farm to accommodate free range chickens (egg production) together with associated feed bins, internal farm access and associated works at Godre Garreg, Llangadog, SA19 9DA.</p> <p>A representation was received requesting that the Committee undertake a site visit.</p> <p>REASON: To enable the Committee to view the access arrangements in view of highway safety concerns.</p> <p>In line with the Planning Committee Protocol, the objector who had requested to speak on this application opted to make his representations at today's meeting rather than at the meeting following the site visit. There Committee thereupon proceeded to receive a representation objecting to the proposed development, which re-iterated some of the points detailed within the Head of Planning's written report and included the following:-</p> <ul style="list-style-type: none"> • there are traffic issues relating to the application site as part of it is privately owned common land; • the road network is not suitable for heavy duty traffic; • close proximity to several residential properties, some as close as 37m; • noise nuisance from the fans which will be on constantly during warm weather; • there will be airborne pollution and smell contamination; • pest control will have to be increased in the area; • detrimental impact on the Tywi Valley Special Landscape Area. <p>The applicants' agent responded to the issues raised.</p>
---------	--

4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS

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

S/34402	Demolition of former Copperworks School and develop up to 9 new homes at former Copperworks Infants School, land at Morlan Terrace, Burry Port, SA16 0ND [NOTE: Councillor J.D. James, having earlier declared an interest in this application, left the meeting prior to the consideration and determination thereof.]
----------------	---

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

S/34071	Inert waste processing centre at Former Morlais Colliery, Pontardulais Road, Llangennech, Llanelli, SA14 8YN. REASON: To enable the Committee to view the access arrangements in view of highway safety concerns.
----------------	--

5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS

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

W/35759	Single detached residential dwelling at plot adj Bryneglur, heol y Foel, Foelgastell, SA14 7ET
----------------	---

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

W/35554	<p>New public square, café and small business units to existing public realm at Jacksons Lane Square, Carmarthen, SA31 1QD</p> <p>REASON: To enable the Committee to view the site in view of concerns of the scale and size of the proposed development.</p> <p>In accordance with the Planning Committee Protocol, the objectors who had requested to speak in relation to this application, opted to make their representations at the meeting following the site visit.</p>
----------------	---

6. MINUTES

6.1. 13TH JUNE, 2017

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on 13th June, 2017 be approved and signed as a correct record.

6.2. 29TH JUNE, 2017

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on 29th June, 2017 be approved and signed as a correct record.

6.3. 11TH JULY, 2017

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on 11th JuLY, 2017 be approved and signed as a correct record.

CHAIR

DATE

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