

# **LLANELLI TOWN CENTRE**

## **LOCAL DEVELOPMENT ORDER (CONSULTATION DRAFT)**

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## **1.0 Overview**

1.1 A Local Planning Authority (LPA) may use a LDO to grant blanket planning permission for non-contentious, though not necessarily minor, forms of “development” / changes in use within a defined spatial area. Reference should also be made to the Statement of Reasons accompanying this LDO.

1.2 The Permitted Uses are set out in Section 3. The Area is shown in Section 8.

1.3 The LDO grants *conditional* planning permission for specified uses in ground and upper-floor units. It is envisaged that the LDO, in permitting a wide range of compatible uses, will help to increase occupancy levels and footfall in the town centre.

1.4 After three years, the LDO will be considered a success if two or more of the following changes have occurred in the LDO area:

- Five or more vacant ground-floor units have been issued with Certificates of Conformity allowing a change of use (source: Forward Planning) ;
- Annual footfall has increased within the LDO area (source: Council Regeneration Department footfall counters);
- The number of vacant ground-floor units has decreased (source: Forward Planning );
- Three or more upper floor vacant units have been issued with Certificates of Conformity which would allow them to be brought back into use – this includes flats and residential uses – use class C3 - (source: Forward Planning ).

1.5 This draft LDO, along with the draft summary of reasons, are being made available for public consultation for a minimum of six weeks between in accordance with procedural and regulatory requirements. There is also a suite of supporting documentation available for reference, include those referenced above - along with a Strategic Flood Consequence Assessment and Drainage Strategy.

## **2.0 Lifetime of the LDO**

2.1 The LDO is active for a period of three years from its adoption. This period will however be subject to ongoing review and may be extended or reduced in light of the success or failure of the LDO.

2.2 Development that commences while the LDO is in effect may be completed and/or continued after this three-year period. Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Towards the end of the three-year period, Carmarthenshire County Council will assess the impact of the LDO and decide whether to (i) renew the LDO with no revisions, (ii) renew the LDO with new terms and conditions or (iii) revoke the LDO.

### **3.0 Permitted Uses**

3.1 The following table outlines the relevant use classes which will be permitted or otherwise through the LDO and within its defined spatial area.

Use Class	WITHIN C2 ZONE		OUTSIDE C2 ZONE	
	Ground Floor (GF)	Other Floors (OF) (Excluding basements)	GF	OF (Excluding basements)
<b>A1</b> Shops	Yes	Yes	Yes	Yes
<b>A2</b> Financial and Professional Services	Yes	Yes	Yes	Yes
<b>A3</b> Restaurants and Cafes	Yes	Yes	Yes	Yes
<b>A4</b> Drinking establishments (but not night clubs)	Yes	Yes	Yes	Yes
<b>A5</b> Hot food takeaways	Yes	No	Yes	No
<b>B1</b> Business (offices other than those within A2)	No	Yes	No	Yes
<b>C1</b> Hotels, boarding houses and guest houses	No	Yes	No	Yes
<b>C3</b> Dwellings (residential incl. flats)	No	Yes	No	Yes
<b>D1</b> Non-residential institutions (Note - LDO excludes Law Courts, Church Halls and Libraries)	No	Yes	Yes	Yes
<b>D2</b> Assembly and leisure buildings (Note LDO only permits gymnasiums and area for indoor sports or recreations - except for motor sports, or where firearms are used)	No	Yes	Yes	Yes
<b>Other (specified sui)</b> Launderettes and taxi businesses only	Yes	Yes	Yes	Yes

Further information in relation to the Use Class Order can be viewed through the following link:

[https://www.planningportal.co.uk/info/200130/common\\_projects/9/change\\_of\\_use](https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use)

## **4.0 Conditions**

### **General**

1. No change of use permitted by the LDO shall commence until an application for a Certificate of Conformity has been submitted to, and approved in writing by, the Local Planning Authority (LPA).

**Reason: To ensure that proposed changes of use comply with the terms of the Local Development Order.**

2. With reference to Planning Policy Wales Technical Advice Note 15 (TAN15): Development and Flood Risk (or any document that updates or replaces it during the course of the LDO), no change in use to highly vulnerable development (as defined in TAN 15) is permitted in any ground-floor unit located in Development Advice Map Zone C2.

**Reason: To accord with the provisions of national planning policy in the form of TAN 15.**

3. Change of uses to highly vulnerable development permitted by the LDO on non ground floor units that are located within Development Advice Map Zone C2 shall accord with the provisions of the LDO SFCA and TAN 15. Any required details or measures shall be fully implemented and maintained in that state thereafter.

**Reason: To ensure that no development permitted by the LDO has unacceptable flooding consequences.**

#### Removal of permitted-development rights

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order), no development within Schedule 2, Part 40, Classes A, B, C, D, E, F, G, H or I may be carried out at any dwelling house (as defined in Welsh Statutory Instrument 2009 2193(W.185)) created under the LDO without the prior written permission of the LPA.

**Reason: To ensure that a satisfactory form of development takes place.**

#### Residential Proposals

5. No conversion scheme implemented under the terms of the LDO, whether in isolation or in combination with another scheme (regardless of ownership), may create an inappropriate concentration of single bedroom units.

**Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.**

#### Units of multiple occupation

6. No conversion scheme implemented under the terms of the LDO, whether in isolation or in combination with another scheme (regardless of ownership), will be considered appropriate where it results in the creation of a unit of multiple occupation.

**Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.**

### Internal floor space

7. No dwelling created under the LDO may be occupied until floor plans that satisfy the relevant minimum standard for internal floor space have been submitted to, and approved in writing by, the LPA. The approved scheme must be retained in that state thereafter.

**Reason: To secure an adequate level of residential amenity for occupiers.**

### Street Scene

8. Existing ground-floor windows and shop fronts must not be obscured, either internally or externally, by paint, whitewash, film, curtains or any other opaque material.

**Reason: To maintain the commercial character and appearance of the Town Centre.**

### Licensing and Public Protection

9. Those uses permitted by the LDO will be required to adhere to requirements in relation to Licensing and matters of public protection. Advice should be sought from the relevant department. The required permissions/licenses must be in place prior to commencement of change of use (irrespective of whether a LDO statement of conformity has been issued).

**Reason: To protect the amenities of persons in neighbouring properties.**



### Building Regulations

10. Those uses permitted by the LDO will be required to adhere to requirements in relation to Building Regulations. Advice should be sought from the relevant department. The required approvals must be in place prior to commencement of change of use (irrespective of whether a LDO statement of conformity has been issued).

**Reason: To ensure compliance with legislative provisions.**

### Lettings Policy

11. Where appropriate, residential uses permitted by the LDO will be required to adhere to requirements in relation to any County Council Lettings Policy. Advice should be sought from the relevant department.

**Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.**

### Other Regulatory Regimes

12. Those uses permitted by the LDO will be required to adhere to any other relevant requirements. For example, operational times and regimes (including arrival, departure, loading or unloading of any commercial delivery vehicles). Appropriate advice can be sought from the LPA in this regard. Any required approvals (notwithstanding 10 and 11 above) must be in place prior to commencement of change of use (irrespective of whether a LDO statement of conformity has been issued).

**Reason: To protect the amenities of persons in neighbouring properties.**

## **5.0 Notes**

1. The LDO is active for a period of three years from its adoption. This period will however be subject to ongoing review and may be extended or reduced in light of the success or failure of the LDO.

2 Development that commences while the LDO is in effect may be completed and/or continued after this three-year period. Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Towards the end of the three-year period, Carmarthenshire County Council will assess the impact of the LDO and decide whether to (i) renew the LDO with no revisions, (ii) renew the LDO with new terms and conditions or (iii) revoke the LDO.

3. The LDO does not grant planning permission for any “development” (as defined in Part III, Section 55 of the Town and Country Planning Act 1990) except the changes of use described in section 3.

4. In order to alleviate the impact of development on local services and facilities, section 106 and Community Infrastructure Levy contributions may be sought in accordance with current council procedures.

5. The LDO does not remove any requirement for advertisement or listed-building consent.

6. The LDO does not remove any requirement for consent under non-planning regulations, such as those relating to licensing, environmental health and building control.

7. The LDO applies only to the area indicated on the LDO plan (see section 8).
8. Occupiers of dwellings created under the terms of the LDO will not be entitled to council parking permits.
9. The LDO has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required.
10. A Test of Likely Significant Effect (TLSE) has been undertaken by the Local Planning Authority for the purposes of the Habitats Regulations. This concluded that the LDO was unlikely to have a “significant effect” alone or in combination on the Carmarthen Bay and Estuaries European Marine Site (CBEEMS) and that an Appropriate Assessment is not required.
11. Applicants may need to submit access statements for proposals that would necessitate access by employees and/or provide services to the public. (If the proposed and existing uses should belong to the same class, or if an A2 or A3 use should become an A1 use, an access statement will not be required.)
12. The Welsh Government’s Development Advice Map may be viewed on their website. Reference is also made to the Plan set out in Section 10.

## **6.0 Compliance**

Carmarthenshire County Council will monitor changes of use within the Town centre and, when appropriate, may take enforcement action against unauthorised development, including any uses that operate in breach of the conditions.

## **7.0 Planning contributions/Community Infrastructure Levy**

Section 106 and Community Infrastructure Levy contributions may be sought in accordance with current council procedures and regulatory and legislative requirements.

# 8.0 Llanelli Town Centre

## Draft Local Development Order

Compiled by on 27 January 2017

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Scale 1:2500





# 9.0 Listed Buildings & Conservation Area

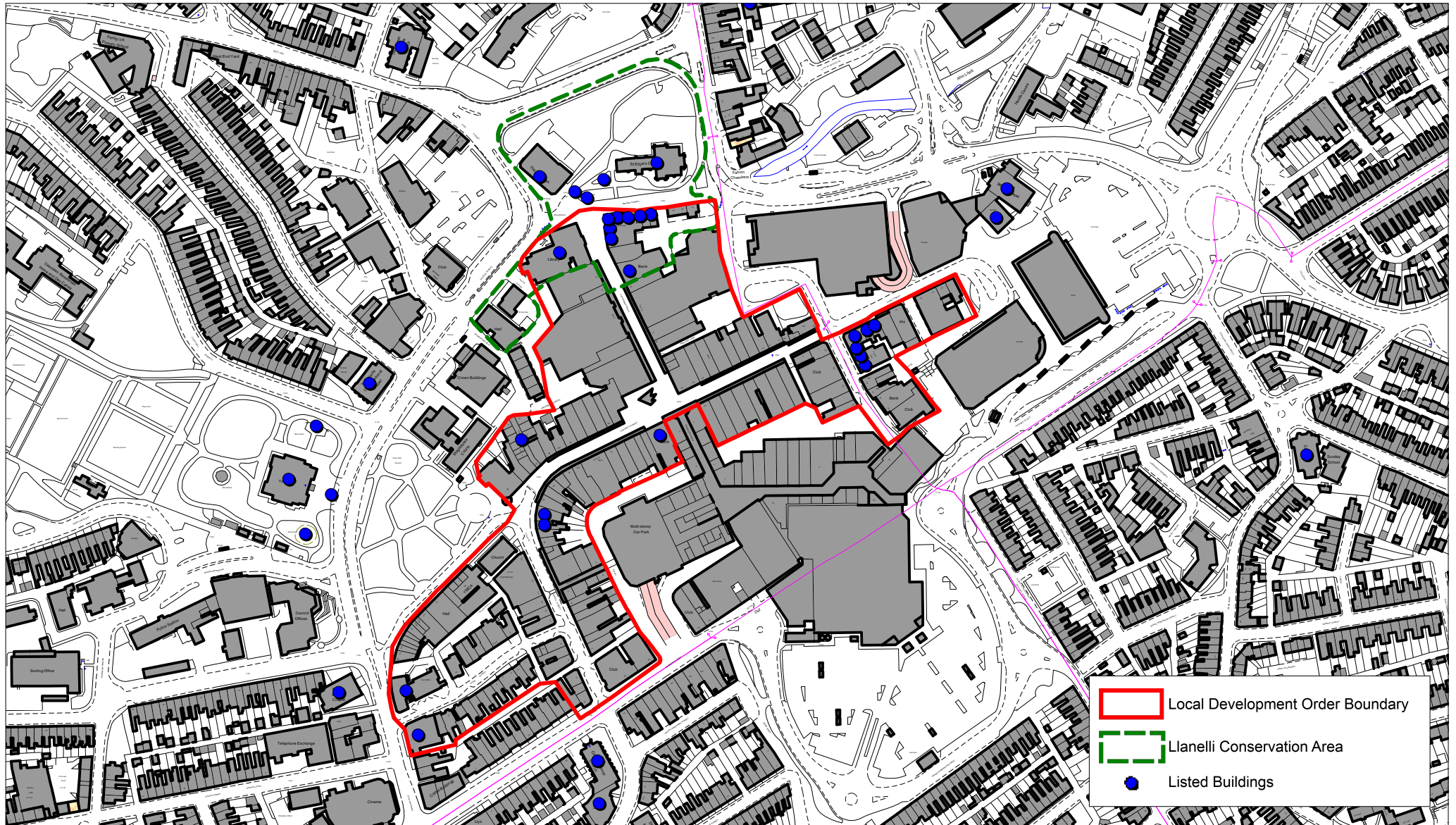
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Scale 1:3500



# 10.0 Development Advice Maps

## Flood Risk

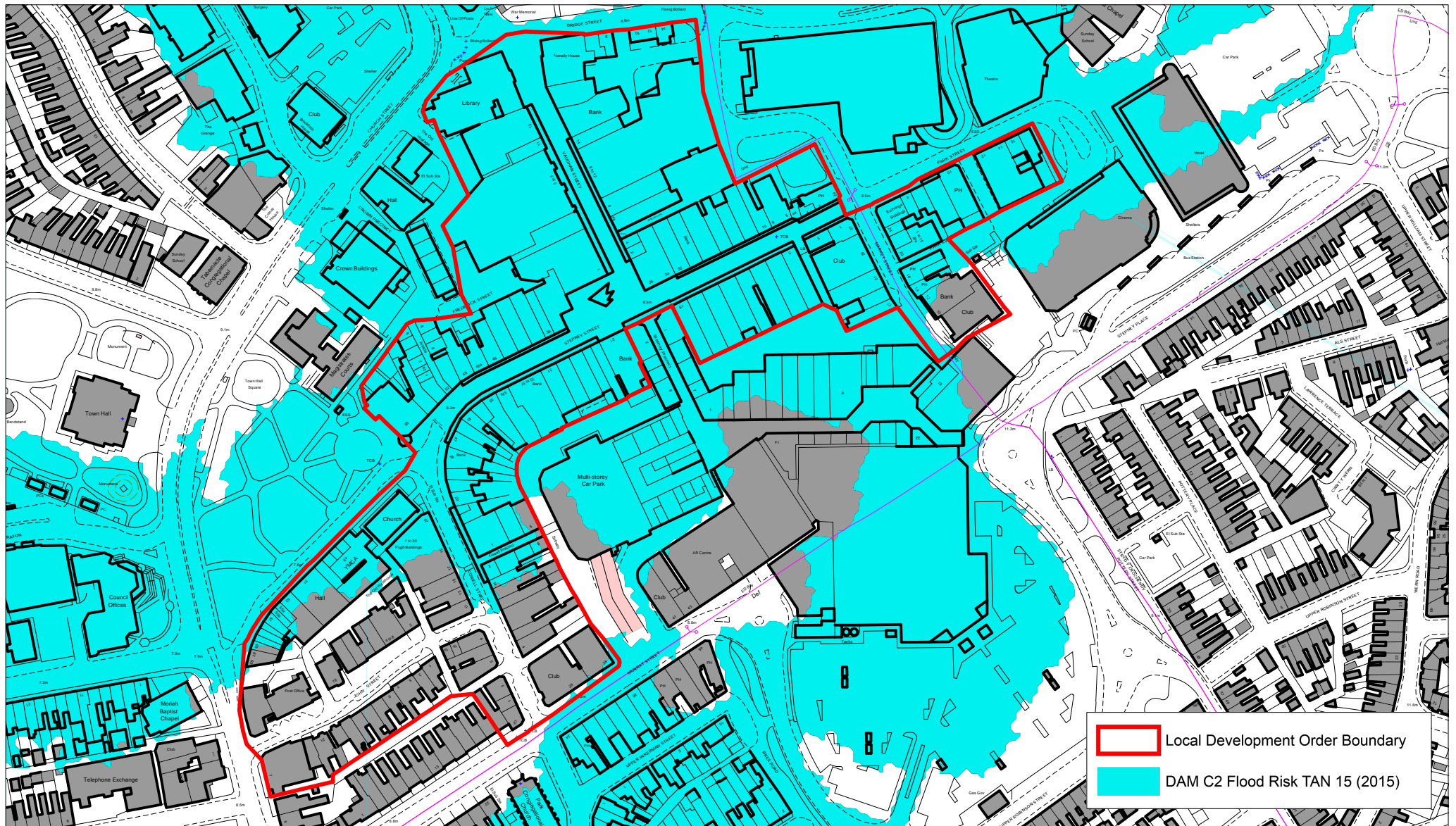
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Scale 1:2500





## Notes

i) The above map is based on the Development Advice Maps (DAMs) published by the Welsh Government in January 2015.

ii) The DAMs are reviewed periodically and therefore may change during the three-year lifetime of the LDO. Reference should be made to the Welsh Government's website in this regard.

## **11.0 Key Contacts**

**TBC**