

**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 14 RHAGFYR 2017
ON 14 DECEMBER 2017**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal
Dwyrain/
Area East*



**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:	14 DECEMBER 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NOS.
E/33367	Single 100kw wind turbine with associated infrastructure at Land North of Bryndu Isaf, Maesybont, Carmarthenshire, SA14 7SS	9 - 22
E/35108	New farm complex with associated buildings and slurry lagoon at land formerly part of Bodist Uchaf, Ammanford	23 - 32
E/35356	Improvement to existing field access to facilitate access to a 5 caravan CL site at Land at Brynhyfryd, Talley Road, Llandeilo, SA19 7HU	33 - 39
E/36183	New eco-house at Land adj to 'New House', Cilycwm, Llandovery, Carms, SA20 0SS	40 - 46

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

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/33367
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	SINGLE 100KW WIND TURBINE WITH ASSOCIATED INFRASTRUCTURE AT LAND NORTH OF BRYNDU ISAF, MAESYBONT, CARMARTHENSHIRE, SA14 7SS

Applicant(s)	NORVENTO WIND ENERGY - TREVOR HOWE, UNIT 1.32, 111 POWER ROAD, LONDON, W4 5PY
Agent	TNEI - LIZ RUSSELL, MILBURN HOUSE, DEAN STREET, NEWCASTLE-UPON-TYNE, NE1 1LE
Case Officer	Ceri Davies
Ward	Llanfihangel Aberbythych
Date of validation	16/02/2016

CONSULTATIONS

Llanfihangel Aberbythych Community Council – Has objected to this application, citing the following reasons:

- Visual impact on the area
- Impact on the village of Carmel

Local Member - County Councillor Cefin Campbell has requested the application be presented before Planning Committee on the basis that he has received representations from third parties citing concerns over the potential visual impact of the turbine.

Head of Public Protection – Has no objections to the proposal subject to the imposition of suitable conditions relating to the compliance with prescribed noise levels.

Head of Transport – Has no adverse comments.

Public Rights of Way Officer – Has advised on the proximity of the proposal in relation to the nearest public rights of Ways and has not expressed any concerns.

Ministry of Defence – Has no objections to the proposal.

Joint Radio Company – Has no objections to the proposal.

Ofcom – Has provided general guidance in relation this proposal

Civil Aviation Authority – Has provided general guidance in relation to this proposal.

Natural Resources Wales – No adverse comments raised subject to standard advisory notes in relation to pollution prevention. NRW have recommended consultation with the LPA Ecologist.

Dyfed Archaeological Trust – Has not commented on the application to date.

Neighbours/Public – The application has been advertised by means of Site Notice; no letters of representation have been submitted to date.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

This application has been brought before Planning Committee at the request of the Local Member who has cited concerns over the potential visual impact of the wind turbine on the wider area.

THE SITE

The application site is located within a large rectangular agricultural field forming part of Bryndu Isaf Farm; Bryndu Isaf lies approximately ½ mile east of the village of Maesybont; and ¾ mile west of the village of Carmel. The site selected for the siting of the wind turbine is located 160metres north of the farmhouse and support buildings associated with Bryndu Isaf. The farm is accessed off an unclassified road which links the B4297 with the C2151 classified road. The site is elevated above the surrounding land on a small plateau. The nearest residential property aside from the applicant's is the farmhouse and associated buildings belonging to Bryndu Uchaf Farm located approximately 500m south-east of the proposed turbine. The surrounding area is characterised by improved agricultural land bound by semi-improved hedgerow, isolated dwellings, farmsteads and small blocks of mature woodland. The nearest Public Rights of Way (PROW) footpath is located 390m to the north of the proposed turbine location.

The site comprises a proposed access track shaded orange on the site plans, which connects to an area proposed for the turbine and ancillary equipment housing/hardstanding area.

THE PROPOSAL

The proposal comprises a 41.5m high, 100kw wind turbine along with access track, sub-station, foundations and hardstanding area. The wind turbine generator will have a hub height of 29.5m and rotor diameter of 24m. The meter housing will be located immediately adjacent to the turbine.

The application has been accompanied by a suite of documentations and plans which include a planning statement, Landscape & Visual Impact Assessment (LVIA) Shadow Flicker Report, noise assessment and ecological appraisals; in addition, a selection of photomontages and wirelines.

PLANNING POLICY

The application falls to be considered against the following Local Development Plan (LDP) policies:

Policy SP2 (Climate Change) which sets out the criteria for development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported.

Policy SP11 (Renewable Energy & Energy Efficiency) which states that development proposals which incorporate energy efficiency measures and renewable energy production technologies will be supported in areas where the environmental and cumulative impacts can be addressed satisfactorily. The policy also states that such developments should not cause demonstrable harm to residential amenity and will be acceptable within the landscape.

SP14 (Protection and Enhancement of the Natural Environment) which states that development should reflect the need to protect, and wherever possible enhance the County's natural environment; and 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, including statutory designated sites including Ramsar sites, SPAs, SACs, SSSIs and National Nature Reserves; sites of biodiversity and nature conservation value; regional and locally important sites (and their features) including local Nature reserves; area of identified landscape and seascape quality; features which contribute to local distinctiveness, nature conservation value or the landscape; the open countryside; the best and most versatile agricultural land; (Grade 2 and 3a); and natural assets: including air, soil (including high carbon soils) controlled waters and water resources. (See Policies EP1 and EP2)

Policy RE2 (Local, Community and Small Wind Farms) which states that local, Community and small wind farms or individual turbines will be permitted provided the following criteria can be met in full:

- a) The development will not have an unacceptable impact on visual amenity or landscape character through: the number, scale, size, design and siting of turbines and associated infrastructure
- b) The development will not have an unacceptable cumulative impact in relation to existing wind turbines and other renewable energy installations and those which have permission;
- c) The siting, design, layout and materials used should be sympathetic to the characteristics of the land-form, contours and existing features of the landscape;
- d) The development would not cause demonstrable harm to statutorily protected species, and habitats and species identified in the Local Biodiversity Action Plan;
- e) Turbines and their associated structures will not be sited in, or impact upon archaeological resources, the setting and integrity of Conservation Areas, Listed Buildings or other areas of historical value;
- f) Proposals will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public;
- g) No loss of public accessibility to the area, and existing bridleways and footpaths will be safeguarded from development with no permanent loss to their length and quality;

- h) Turbines and associated infrastructure will, at the end of the operational life of the facility, be removed and an appropriate land restoration and aftercare scheme agreed;
- i) The development will not result in significant harm to the safety or amenity of sensitive receptors and will not have an unacceptable impact on roads, rail or aviation safety;
- j) The development will not result in unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems.

In addition to the above specified conditions, the application also falls to be considered against the General policies of the Local Plan as well as the following specified national policies/guidance.

National Policy is provided by Planning Policy Wales Edition 7 July 2014 and TAN 8 as follows:-

12.8 Sustainable Energy

12.8.1 The UK is subject to the requirements of the EU Renewable Energy Directive. These include a UK target of 15% of energy demand from renewables by 2020. The UK Renewable Energy Roadmap sets the path for the delivery of these targets, promoting renewable energy to reduce global warming and to secure future energy supplies. The Welsh Government is committed to playing its part by delivering an energy programme which contributes to reducing carbon emissions as part of our approach to tackling climate change (see 4.5) whilst enhancing the economic, social and environmental wellbeing of the people and communities of Wales in order to achieve a better quality of life for our own and future generations. This is outlined in the Welsh Government's Energy Policy Statement Energy Wales: A Low Carbon Transition (2012).

12.8.2 Planning policy at all levels should facilitate delivery of both the ambition set out in Energy Wales: A Low Carbon Transition and UK and European targets on renewable energy. The Renewable Energy Directive contains specific obligations to provide guidance to facilitate effective consideration of renewable energy sources, high-efficiency technologies and district heating and cooling in the context of development of industrial or residential areas, and (from 1 January 2012) to ensure that new public buildings, and existing public buildings that are subject to major renovation fulfil an exemplary role in the context of the Directive. The issues at the heart of these duties are an established focus of planning policy in Wales, and in this context both local planning authorities and developers should have regard in particular to the guidance contained in Technical Advice Note 8: Planning for Renewable Energy, TAN22 and Planning for Renewable Energy – A Toolkit for Planners. The Welsh Government will however consider the preparation of further targeted guidance where appropriate.

12.8.6 The Welsh Government's aim is to secure an appropriate mix of energy provision for Wales which maximises benefits to our economy and communities, whilst minimising potential environmental and social impacts. This forms part of the Welsh Government's aim to secure the strongest economic development policies to underpin growth and prosperity in Wales recognising the importance of clean energy and the efficient use of natural resources, both as an economic driver and a commitment to sustainable development.

12.8.9 Local planning authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy (see 4.4.3) to help to tackle

the causes of climate change (see 4.7.3). Specifically, they should make positive provision by:

- considering the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and ensuring that development plan policies enable this contribution to be delivered;
- ensuring that development management decisions are consistent with national and international climate change obligations, including contributions to renewable energy targets and aspirations;
- recognising the environmental, economic and social opportunities that the use of renewable energy resources can make to planning for sustainability (see Chapter 4); and
- ensuring that all new publicly financed or supported buildings set exemplary standards

12.8.10 At the same time, local planning authorities should:

- ensure that international and national statutory obligations to protect designated areas, species and habitats and the historic environment are observed;
- ensure that mitigation measures are required for potential detrimental effects on local communities whilst ensuring that the potential impact on economic viability is given full consideration; and
- encourage the optimisation of renewable and low carbon energy in new development to facilitate the move towards zero carbon buildings (see 4.11 and 4.12).

12.10.1 In determining applications for renewable and low carbon energy development and associated infrastructure local planning authorities should take into account:

- the contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development;
- the impact on the natural heritage (see 5.5), the Coast (see 5.6) and the Historic Environment (see 6.5);
- the need to minimise impacts on local communities to safeguard quality of life for existing and future generations;
- ways to avoid, mitigate or compensate identified adverse impacts;
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts (see 4.5);
- grid connection issues where renewable (electricity) energy developments are proposed; and
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal

Consideration is also given to Planning Policy Wales - Technical Advice Note (TAN) 8 - Planning for Renewable Energy. At para 2.13 it states that *“most areas outside of SSAs should remain free of large wind power schemes”*...and that...*“local authorities may wish to consider the cumulative impact of small schemes in areas outside of SSAs and establish*

suitable criteria for separation distances from each other and from the perimeter of existing wind power schemes of the SSAs. In these areas, there is a balance to be struck between the desirability of renewable energy and landscape protection. Whilst that balance should not result in a severe restriction on the development of wind capacity, there is a case for avoiding a situation where wind turbines are spread across the whole of the county.”

Although no formal Supplementary Planning Guidance (SPG) on cumulative impact has been adopted by the Local Planning Authority (LPA), it has developed a guidance note internally for officers entitled *Pembrokeshire and Carmarthenshire: Cumulative Impact of Wind Turbines on and Landscape and Visual Amenity*. As the title suggests this document has been developed with Pembrokeshire and also the Pembrokeshire Coast National Park Authority who have both adopted the guidance as SPG. The guidance provides a classification of landscape types where turbines are contained within landscape character areas. It also provides guidance on how to assess cumulative impacts on visual amenity indicating that there are three main types of cumulative visual effect:

- In combination from one (static) viewpoint i.e. where more than one development can be seen within the observer’s arc of vision at the same time.
- In succession from one (static) viewpoint i.e. where the viewer has to turn to see a number of development around them.
- Sequential effects on a journey i.e. where more than one wind turbine development can be seen one after the other over a period of time by an observer moving through the landscape (para 4.1).

The guidance states that “the magnitude of the cumulative change will depend on the landscape context in which the development is viewed and the scale, nature, duration and frequency of combined and sequential views (para 4.4).

In relation to the effect on landscape character TAN 8 states: *‘the implicit objective ... is to maintain the integrity and quality of the landscape within National Parks/Areas of Outstanding Natural Beauty in Wales i.e. no change in landscape character from wind turbine development. In the rest of Wales outside the Strategic Search Areas the implicit objective is to maintain the landscape character ie no significant change in landscape character from wind turbine development. Within (and immediately adjacent to) the Strategic Search Areas, the implicit objective is to accept landscape change i.e. significant change in the landscape character from wind turbine development.’*

The following sections will assess the proposal against specific material planning considerations and will be followed by a balancing exercise which will conclude whether the proposal is acceptable or not at this location.

THIRD PARTY REPRESENTATIONS

The application has been advertised by means of Site Notice; whilst the Local member makes reference to third parties expressing concerns regarding this development, no correspondence has been received as a result of the public site notice. Llanfihangel Aberbythych Community Council has objected to the application on the basis that they consider the turbine if approved would have an unacceptable impact on the visual amenity and landscape character of the area as well as dominating the village of Carmel.

Landscape and Visual

On the basis of the community council objection and concerns highlighted by the local member over the visual impact of the proposed turbine, the Authority has scrutinised carefully the potential visual effect of the turbine at this location. In this regard the Authority's Landscape Officer has assessed the scheme in the context of its surroundings; and through appraisal of the submitted information, consideration of LANDMAP and landscape designations, as well as a site survey/visit.

The application site has been inspected from the nearest sensitive buildings, namely the adjacent farms, Bryndu Uchaf, Bryn yr Odyn and Y Ffynnon; it has also been inspected from the nearest built up residential areas, namely dwellings $\frac{3}{4}$ mile, south-east of the site, along Heol y Capel in the village of Carmel; and residential properties in the village of Maesybont, approximately $\frac{1}{2}$ away. From these inspections, the Landscape Officer acknowledges that the proposed scheme will form new, manmade moving elements within some views from residential properties and associated amenity space. He concludes that the location of the scheme, scale of the turbine model and its relation to the topography; other Operational Consented in Planning Development (OCPD); and the proximity and orientation in relation to the identified properties, and any intervening screening elements, is such, that the proposal is considered to result in impacts to residential visual amenity. The Authority has fully considered the impacts to residential visual amenity as identified in the Impact Table, compiled by the Landscape Officer, along with the additional information submitted as part of representations made by the Local Member and Community Council in the context of the relevant policy objectives. Overall, the Authority is satisfied that the nearest dwellings and those assessed from public vantage points will not be exposed to significant physical impacts from the turbine given the relative separation distance and scale of the development. Furthermore, owing to the separation distance between the application site and the village of Carmel, the authority contends that despite the claims of the Community Council, the turbine will not have a detrimental impact on the said village.

It is acknowledged that indirect impacts to landscape character will be caused by the physical presence of the proposed turbine from certain views, and this would result in effects upon the existing landscape character. Members will of course be mindful that wind turbine development inevitably results in changes to local landscape character through the introduction of new, manmade moving landscape elements. The significance of these changes in terms of magnitude and extent of effect have been assessed through appraisal of the submitted information, consideration of LANDMAP and landscape designations. The receiving landscape primarily consists of agricultural fields and scattered farmsteads. The Landscape Officer concludes that the scale of the turbine model is such that, potential impacts to existing landscape elements and features would not be expected to challenge the relevant policy objectives of the LDP to justifiably represent a reason for refusal of the application.

The Landscape Officer has advised that the proposed scheme will have a residual impact upon the landscape character of the immediate area. However, the location and scale of the turbine model and its relation to topography, other OCP development, and the predicted magnitude of effect in relation to the sensitivity of the receiving landscape, are such that the significance of impacts to landscape character, or areas designated for their landscape value, are not considered to represent a justifiable reason for refusal of the application against the relevant policy objectives of the LDP.

The significance of the impacts to local landscape character arising from the visual presence of the proposed turbine development have been considered as part of this application. Whilst these impacts may not be of a significance to justify an objection to the application, it

is considered that the proposed turbine development will result in residual adverse impacts to landscape character on a local scale. In view of the aforementioned, it is considered that the provision of a Landscape Compensation Scheme, which details measures to protect and enhance the existing landscape character of the area, and avoid any potential decline in the quality or quantity of those elements which contribute to landscape character, is fully justified in planning terms under the provisions of Policy GP1 and SP14 of the LDP. An appropriate condition will be imposed to ensure the submitted Landscape Compensation and Biodiversity Enhancement Scheme is fully implemented.

It is recommended that a Physical Landscape Mitigation Scheme [PLIMS] be submitted and an appropriate condition will be imposed accordingly. The PLIMS will need to be based upon a comprehensive assessment of, and provide mitigation for, all direct physical landscape impacts to existing landscape elements resulting from the proposed development at the site access from the public highway; within the application boundary; and within all other areas subject to any construction phase disturbance. In addition the PLIMS will need to provide details of protective measures; method statements; and landscape design, maintenance, and management proposals to deliver effective mitigation for all direct physical landscape impacts identified.

It is recommended that the proposal does not challenge LDP policies which seek to protect visual amenity. Furthermore the distance maintained from other neighbouring properties and the relative scale of the proposal will ensure that whilst there will be a degree of visual impact it will not cause significant adverse harm upon those living in the area. Whilst it is acknowledged that the proposal by its very nature will lead to a prominent alien man-made feature visible from the wider area, it is deemed that the energy benefits of the proposal outweigh this impact.

In terms of the cumulative visual impact, the number of existing and proposed wind turbines in the wider landscape is very low; the nearest operational single wind turbine is located in the village of Blaenau, approximately 4km south east of the application site. Planning permission was granted back in September 2016 for a wind turbine (classed as small) at Garn Lwyd, near Foelgastell, the said turbine would be approximately 3km west of Bryndu Isaf, however is not operational as of yet. There is one micro turbine at Ffynnon Goch, which is less than 1km away from Bryndu Isaf. It is considered that owing to the separation distance between the proposed turbine at Bryndu and the nearest operational turbine at Blaenau, this development if approved and subsequently implemented would not result in the immediate area being characterised by wind turbines and turning into a wind farm landscape.

Natural Resources Wales have advised that they are satisfied with the findings of the LVIA and agree that the proposal would not have a significant effect on the views, special qualities or setting of the Brecon Beacons National Park or a significant effect on the Tywi Valley Landscape of Outstanding Historic Interest.

To conclude this section therefore, it is considered that the wind turbine of a medium scale can be accommodated within the landscape without harming its qualities and the amenity of those that live within in it and use it.

Ecology

The site consists of improved grassland bounded by hedgerows, as confirmed by the ecological walkover survey. An area of Marshy Grassland occurs to the north but this will

remain unaffected by the proposals. A small area of improved grassland will be permanently lost this habitat is considered to be of negligible ecological significance.

The LPA's Planning Ecologist has raised no adverse comments but has advised that any proposal must include a fully integrated landscape compensation and biodiversity enhancement scheme; this scheme, Members are reminded, accompanied this submission. The scheme will deliver any required biodiversity mitigation and additionally provide biodiversity enhancement to the local area through the management or creation of wildlife habitats on site or elsewhere on the land holding. The aim of the scheme is to offset any long term residual/cumulative effects to biodiversity of a turbine in the landscape and provide enhancement in line with LDP policy.

NRW have reviewed the bat survey report and offer to objection to the proposed turbine

Noise

In terms of the potential noise impact, the submitted application has been accompanied by a noise survey; the Head of Public Protection has considered the findings of the said survey and offered no adverse comments. The Head of Public Protection advises that a suitable condition be imposed stipulating noise be limited to 35dB up to wind speeds of 12m/s at 10m height; this condition alone would offer sufficient protection and prevent any demonstrable harm to the amenity of any residents residing at any noise sensitive properties.

Transportation and Highway Safety

Subject to the imposition of recommended highway conditions, it is not considered that the proposal will give rise to any significant highway safety concerns and therefore the Head of Transport has raised no adverse comment

Shadow Flicker and Amenity

Whilst this hasn't been raised as a concern in this instance, Members will be mindful that shadow flicker can often be a concern when wind turbine applications are considered by the authority. Shadow flicker has been proven to only occur within ten rotor diameters of a wind turbine; the proposed turbine has a rotor diameter of 24m, and shadow flicker could therefore have potential occurrences within 240m. Only properties within 130 degrees either side of north, relative to the turbines, can be affected at these latitudes in the UK – turbines do not cast long shadows on their southern side (Planning practice guidance for renewable and low carbon energy, 2014). In this instance, there are no residential dwellings or other properties within 130 degrees either side of north; considering 240m around the turbines, therefore the Shadow Flicker Report accompanying this application concludes that shadow flicker is not predicted to occur at any residential receptors as no residential properties have been identified within 240m of the proposed wind turbine.

CONCLUSION

It is acknowledged that there will be an impact to the landscape character of the immediate area by the physical presence of the proposed turbine at this location. The significance of this change in terms of magnitude and extent of effect has been assessed through appraisal of the submitted information and a survey of the selected site within its surrounding context. It is concluded that the scale of the turbine model is such that, potential impacts to existing

landscape elements and features would not be expected to challenge the relevant policy objectives of the LDP to justifiably represent a reason for refusal of the application. On balance, having regard to all planning policies and material considerations, the proposal is considered to sit comfortably at this location without having a significant adverse impact upon the surrounding landscape, the amenities of occupiers and the ecological and cultural assets of the area. It will also have a positive impact upon the farm's energy needs, approval is therefore recommended.

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 hereby approved relates to the following schedule of plans /
 - Location Plan – 1:5,000 scale
 - Site Plan – 1:1250 scale
 - Block Plan – 1:1000 scale
received on 16 October 2015

 - Elevations – 1:100 scale
 - Shallow Foundation Plan – 1:10 and 1:60 scale
 - Shadow Flicker Plan – 1:2500 scale
 - Noise Contour Plan – 1:6000 scale
received on 20 October 2015
- 3 If the wind turbine hereby permitted ceases to operate for a continuous period of 6 months, unless otherwise approved in writing by the Local Planning Authority, a scheme for the decommissioning and removal of the wind turbine and any other ancillary equipment and structures relating solely to the wind turbine shall be submitted and approved in writing by the Local Planning Authority within 3 months of the end of the cessation period. The scheme shall include details for the restoration of the site. The scheme shall be implemented within 3 months of the date of its approval by the Local Planning Authority.
- 4 During the construction phases, no works or construction shall take place other than within the hours of 08:00 – 18:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays
- 5 To prevent any demonstrable harm to the amenity of residents, the rating level of noise immission from the wind turbine (including the application of any tonal penalty) should not exceed a sound pressure level not exceeding 35dB $L_{A90, 10 \text{ mins}}$, within the amenity space of any non-financially involved lawfully existing dwelling, between cut-in wind speeds and the wind speed corresponding to the turbines maximum sound power level, measured to a height of 10m.
- 6 To prevent any demonstrable harm to the amenity of any residents, the cumulative rating level of noise immissions from the wind turbine (including the application of any

tonal penalty), should not exceed a sound pressure level not exceeding 35dB $L_{A90, 10 \text{ mins}}$, within the amenity space of any non-financially involved lawfully existing dwelling, between cut-in wind speeds and the wind speed corresponding to the turbines maximum sound power level, measured to a height of 10m.

- 7 To prevent any demonstrable harm to the amenity of any residents residing at any financially involved properties, the cumulative rating level of noise immissions from the wind turbine(s) (including the application of any tonal penalty) should not exceed 45dB $L_{A90, 10 \text{ min}}$ as measured at least 3.5 meters from the façade of any financially involved noise sensitive property at any time, up to and including on-site wind speeds of 12 m/s at 10m height.
- 8 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise immissions from the wind turbines at the complainant's property following the procedures described in ETSU-R-97 "The Assessment and Rating of Noise from Wind Farms". The scheme for assessing the level of noise shall be agreed in writing by the Local Planning Authority prior to being implemented.
- 9 The assessment of the rating level of noise immissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Local Planning Authority. The protocol shall include the proposed measurement location where measurements for compliance checking purposes shall be undertaken, the method to assess the presence of any tonal component, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions.
- 10 In the event that the operational turbine subsequently develops an audible tone, then a penalty shall be added to the measured sound levels in accordance with ETSU-R-97. This condition applies where no tone has been identified at the assessment stage and no penalty applied.
- 11 During the course of the investigation, should the wind turbine be identified as operating above the parameters specified in condition number 5, 6 and 7 above the wind turbines will be modified, limited or shut down. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified in Conditions 5, 6 and 7.
- 12 The turbine shall operate in 'Reduced Noise Mode' at all times.
- 13 Any lighting shall be erected and orientated in such a manner, and the illumination shall be of a level, so as not to give rise to glare and dazzle to road users.
- 14 Prior to the commencement of the development hereby approved on site, detailed plans of the proposed wind turbine substation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

- 15 No development shall take place until a comprehensive Physical Landscape Impact Mitigation Scheme [PLIMS] has been submitted to and approved in writing by the Local Planning Authority.
- 16 Development shall be fully implemented in accordance with the approved Physical Landscape Impact Mitigation Scheme [PLIMS] and to the approved implementation and long term management programmes, unless agreed otherwise, in writing, by the Local Planning Authority.
- 17 Any new landscape elements planted or seeded; or existing landscape elements retained; in accordance with the approved PLIMS which, within a period of 5 years after implementation, 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, unless the Local Planning Authority gives written consent to any variations.
- 18 The approved integrated landscape and biodiversity enhancement scheme shall be fully implemented within 12 months of the wind turbine becoming operational.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity
- 3 To ensure derelict or obsolete structures do not adversely affect the environment.
- 4-12 To prevent noise disturbance and loss of amenity to occupiers of nearby buildings.
- 10 In the interest of highway safety.
- 13-14 In the interest of visual amenity.
- 15-18 To ensure the delivery of any required biodiversity mitigation and additionally provide biodiversity enhancement to the local area through the management or creation of wildlife habitats on site or elsewhere on the land holding.

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 proposal complies with Policy SP2 (Climate Change) in that it represents a development proposal which responds to, and is resilient to, and adapt to, and minimise for the causes and impacts of climate change will be supported.
- The proposal complies with Policy SP11 (Renewable Energy & Energy Efficiency) as it is a development proposal which incorporates energy efficiency measures and renewable energy production technologies; and all environmental and cumulative

impacts have been addressed satisfactorily. It is also considered that the development will not cause demonstrable harm to residential amenity, hence is deemed acceptable within this rural landscape setting.

- The proposal complies with Policy SP14 (Protection and Enhancement of the Natural Environment) in that the proposal will not significantly harm the local environment, any sites of nature conservation, historical or archaeological interest, species of ecological value. The proposal also safeguards residential amenity, highway safety, telecommunication or radio interference.
- The proposal complies with Policy RE2 (Local, Community and Small Wind Farms) in that it is an individual turbine proposal which will not have an unacceptable impact on visual amenity or landscape character through; the development will not have an unacceptable cumulative impact in relation to existing wind turbines and other renewable energy installations and those which have permission; the siting, design, layout and materials used is considered sympathetic to the characteristics of the landform, contours and existing features of the landscape; the development will not cause demonstrable harm to statutorily protected species, and habitats and species identified in the Local Biodiversity Action Plan; the turbine and its associated structures will not be sited in, or impact upon archaeological resources, the setting and integrity of Conservation Areas, Listed Buildings or other areas of historical value; the proposal will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public; there will be no loss of public accessibility to the area, and existing bridleways and footpaths will be safeguarded from development with no permanent loss to their length and quality; the turbines and associated infrastructure will, at the end of the operational life of the facility, be removed and an appropriate land restoration and aftercare scheme is agreed; the development will not result in significant harm to the safety or amenity of sensitive receptors and will not have an unacceptable impact on roads, rail or aviation safety; the development will not result in unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems.

NOTES

- 1 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)
- 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

Application No	E/35108
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	NEW FARM COMPLEX WITH ASSOCIATED BUILDINGS AND SLURRY LAGOON AT LAND FORMERLY PART OF BODIST UCHAF, AMMANFORD

Applicant(s)	MR R THOMAS, C/O AGENT,
Agent	JCR PLANNING LTD - JASON EVANS, UNIT 2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	Andrew Francis
Ward	Betws
Date of validation	14/02/2017

CONSULTATIONS

Head of Transport – Offers no objections to the proposal.

Betws Community Council – Objects to the proposal stating the following reasons:-

- The slurry complex is too close to neighbouring properties.
- The slurry might overflow or seep into the nearby streams.
- The neighbouring properties will be affected by smells.

Local Member – Former County Councillor D J R Bartlett objected to the proposal stating the following reasons:-

- The location of the development is too close to three residential properties. The farm covers a large area, why has the development been located so close to these residential properties and so far away from the present farm buildings?
- Mention is made of Ammanford/Betws in the application, but no mention is made of the village of Hopkinstown within which this application is sited. Are the villagers of Hopkinstown aware of this application?
- The proposal could increase in vehicular traffic to the area.
- Has any consideration been given to mine workings in the area? They have affected previous applications in the area.

- The risk associated with slurry lagoons which is larger than some swimming pools has been well documented recently.
- There is a stream running nearby, seepage from the lagoon could contaminate this watercourse.
- The smell produced can be detrimental to the local air quality, the proximity may cause amenity issues for the nearby dwellings.
- This second application has caused great distress to the residents of the area. A request is made for the Planning Committee to visit the site to see first-hand the highlighted issues.

Current County Councillor B Jones supports the neighbours' objections in querying why the buildings and slurry lagoon cannot be sited closer to the farm so the smell and noise would not affect the neighbouring properties.

Natural Resources Wales – Offers no objections to the proposal.

The Coal Authority – Offers no objection to the proposal and are satisfied with the broad conclusions of the mining investigation report, however, further more detailed considerations may be required as part of any subsequent building regulations application.

Neighbours/Public – The applications was advertised by means of a Site Notice. Four letters of objection have been received as a result. The responses received are summarised as follows:

- Homes are on the leeward side of the slurry pit and there is concern that the smell will affect the houses. The proposal could also carry wind borne pathogens and spores, if you can smell the slurry you are smelling the pathogens.
- There are three properties within 250 metres of the slurry pit, and one is only 160 metres away. There are approximately 100 properties within 500 metres of the proposal, such proximity is unacceptable given how much land is available at the farm. Further to the above, the applicant's property is over 500 metres away so the applicant is moving the potential for conflict from his own back yard to someone else's which is unfair and selfish.
- There is a water course and public footpath in close proximity to the development. There may be a potential hazard to public health when there is heavy rain which could overflow. Would this impact on public health, ultimately this feeds the River Amman.
- The additional, potentially heavy traffic will create noise and safety concerns for the children and other pedestrians who use the road/lane which do not have pavements. Public footpaths could also be affected and this could even pose a danger under the Children's Act 2004 under which the Council has to have regard to safeguard and promote the welfare of children.
- There are mines in the area. Have these been considered and would they affect the proposal?
- What impact would the proposal have on local wildlife?

- Taking into account the acreage, land and productivity, is the proposed stocking sustainable and are such large buildings lagoons necessary?

RELEVANT PLANNING HISTORY

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

E/31908	New farm complex with associated buildings and slurry lagoon Withdrawn	19 August 2016
E/00926	Construction of surface adit Full planning permission	29 April 1998
P6/658/94	Ventilation drift Full planning permission	18 May 1995
P6/7325/81	Extension to mine take Full planning permission	26 November 1981

APPRAISAL

THE SITE

The application site relates to a field enclosure that forms part of the overall holding of the farm known as Bodist Uchaf, Hopkinstown, Ammanford. The farm occupies an area of approximately 262 acres on the north western flanks of Betws Mountain, of this 209 acres are subject to a new 10 year Farm Tenancy Agreement (FTA) taken out with the new tenants who have recently taken over this application.

The application site generally slopes downwards from the north east to south west, though the application site is on one of the flatter areas of the holding. The proposed site is accessed via the farm access road approximately 435 metres up from the junction that leads from the main Hopkinstown/Heol Dwr road up to the farm.

The 0.58 Ha (1.43 Acre) application site is bounded to the north and east by trees, and remains open to the south and west. The application site is approximately 170 metres from the nearest dwelling (Bodist Isaf), 230 metres from the nearest dwelling to the northwest (Ty Isaf) and is approximately 590 metres from the edge of the settlement of Hopkinstown.

THE PROPOSAL

The applicant seeks Planning Permission to erect two agricultural buildings and a slurry lagoon at the above described site to form a new agricultural complex to serve the agricultural holding.

Unit A, as it is described, is the largest, measuring 504 m² (28 metres in length by 18 metres in width) and having a ridge height of 7.7 metres, with a blockwork plinth and box profile cladding on three sides, with the remaining side left open.

Unit B measures 162 m² (18 metres in length by 9 metres in width) and with a ridge height of 6.4 metres. Again, this will have a blockwork plinth and steel box profile sheeting on three elevations, with the south east elevation remaining open.

The proposed slurry lagoon is to be located in the south western corner of the site and is to measure 41.45 metres long and a maximum width of 21.55 metres and a minimum width of 13.40 metres, making a total area of 725 m². It is proposed to be 3.6 metres deep. The perimeter will be protected by a 1.3 metre high security fence.

A short access track from the existing stone track that leads from the site road is to be created at the southern end of the site and lead into a new yard area which will accommodate the farm complex. A new access track will also be created directly off the site road leading up to Bodist Uchaf at the site's north eastern corner. The northern boundary of the site is to be landscaped with new oak tree planting interspersed with a new indigenous hedgerow.

PLANNING POLICY

The development plan is the Carmarthenshire Local Development Plan, adopted on 10 December 2014. The application site is not located within any settlement limits. Therefore the following policies are relevant for the consideration of this application:

Policy GP1 in this instance requires that the development conforms to the character and appearance of the site and takes into account existing landscape features such as changes in levels or prominent ridgelines. The development should also utilise appropriate materials and retain where possible important local features and ensure the use of good quality hard and soft landscaping. The proposal should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community and should have regard for the safe and efficient use of the transportation network. Finally, it should provide for the satisfactory generation, treatment and disposal of both surface and foul water have regard to the generation, treatment and disposal of waste.

Policy EP1 states that proposals for development will be permitted where it does not lead to a deterioration of either the water environment and/or the quality of controlled waters. Watercourses should be safeguarded through buffer zones to protect aspects such as riparian habitats and species.

Policy EP2 requires that wherever possible, proposals for development should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate that they do not conflict with National Air Quality Strategy objectives or adversely affect to a significant extent, designated Air Quality Management Areas and do not deteriorate water quality.

SP14 is a Strategic Policy Objective which seeks to protect and enhance the natural environment, requiring that all development should be considered in accordance with national guidance and legislation and the policies of the LDP. Due consideration should also be given to areas of nature conservation value, the countryside and landscapes.

National Planning Policy is contained within Planning Policy Wales (PPW) (Edition 9, Nov 2016) and Technical Advice Note (TAN) 6 (2010).

Chapter 13 of PPW considers the issue of water and air quality and clarifies that it is the role of the specific environmental bodies and not the Local Planning Authority to control issues of water and air quality through acts enforced by the environmental bodies.

TAN 6 advises on rural enterprises including farming. Paragraph 3.3 permits new agricultural buildings on agricultural holdings, whilst paragraph 6.64 considers specifically the issues relating to slurry lagoons, stating that:

“Regulations set minimum standards for new, substantially reconstructed or enlarged silage, slurry or fuel oil facilities³⁵. The Environment Agency is empowered to serve notice requiring action to improve existing installations when it considers that there is a significant risk of pollution. These Regulations form an important part of the Assembly’s commitment to reduce agricultural pollution of rivers. Planning authorities are therefore encouraged to consider sympathetically development proposals aimed at meeting the requirements of these Regulations.”

THIRD PARTY REPRESENTATIONS

Following the consultation process, Betws Community Council, former County Councillor D J R Bartlett and current County Councillor Betsan Jones have objected as have four members of the public.

The points of objection received are summarised and discussed as follows:

- There are four properties within 250 metres of the slurry pit, and one is only 170 metres away. There are approximately 100 properties within 500 metres of the proposal, such proximity is unacceptable given how much land is available at the farm. Further to the above, the applicant’s property is over 500 metres away so the applicant is moving the potential for conflict from his own back yard to someone else’s which is unfair and selfish.
- Homes are on the leeward side of the slurry pit and there is concern that the smell will affect the houses. The proposal could also carry wind borne pathogens and spores, if you can smell the slurry you are smelling the pathogens.

With regard to both the above points, this is the main point of objection received and relates mainly to the location of the slurry lagoon and the perceived impact upon the three residential dwellings set approximately 230-350 metres to the northwest of the application site, though it should be noted that the proposed buildings will also be utilised to house livestock during the year. The applicants have requested that the proposed development is sited at this location as the original site of the farm is not considered to be suitable for a modern farming development due to the following reasons:

- Access track not suitable due to gradient for delivery vehicles (e.g. feed) and modern farm machinery during poor weather.
- Close proximity to a number of residential properties not associated with the holding could result in potential conflicts between the two land uses.
- Adjoining topography would require substantial engineering operations to accommodate further buildings, collection yard and slurry lagoon.

The second point raised by the applicant is in direct conflict with the objections received, whereby it is for the Local Planning Authority to determine the application as submitted, having regard to the representations received, and assessment of whether what is proposed is an acceptable form of development. The Authority's Public Protection Department has been consulted on this application and have requested that a Noise Impact Assessment (NIA) be carried out for this application. This further information is currently requested of the agent given that the proposed "greenfield" site is closer to third party properties than the existing farm complex. Such an assessment of any noise impact would need to be carried out prior to determination in order to inform the decision.

No objections from Public Protection have been made in response to smells. As Members will be aware, the prevailing wind direction at this site is from the south west to north east. As the houses are to the north-west, it would take a south easterly wind to mean that the three dwellings are on the leeward side. As such, whilst there may be certain days in a year the wind direction may carry smells in the direction of the houses, they are not downwind of the prevailing winds. There is also a tree line between the application site and the dwellings which should help protect against the smells and visual aspects of the proposal. As such, it is considered that the proposal is in a location that is sustainable for the farm and not unduly harmful for the amenity of the occupiers of the houses situated to the northwest.

- Has any consideration been given to mine workings in the area? They have affected previous applications in the area.

With regard to this issue, it is the responsibility of the applicants to ensure that the proposed buildings and slurry lagoon are constructed in a location and in a method that would not adversely affect old mine workings. Taking this into account, the applicants have submitted a Mining Investigation Report to be assessed by both the Coal Authority and the Authority's Minerals and Waste Team. The Coal Authority do not object to the proposal and are satisfied with the broad conclusions of the report.

The Authority's Minerals and Waste Officer advises that the site is located within the High Risk Development Area, which is covered in the foregoing paragraph. They also query what quantities of excavated material are expected to be derived from the proposal and how the surplus would be disposed of. It is envisaged that much of the excavated material will be re-used on site in the formation of the building foundations and creation of the slurry lagoon.

- The risk associated with slurry lagoons which is larger than some swimming pools has been well documented recently.

The slurry lagoon is to be protected by a 1.3 metre high safety fence around its perimeter and the farm yard will have to be managed to health and safety standards. The slurry lagoon is also within a controlled farm yard that should not be visited or used by people who might be unaware of the dangers posed by working farmyards.

- There is a stream running nearby, seepage from the lagoon could contaminate this watercourse.
- There is a water course and public footpath in close proximity to the development. There may be a potential hazard to public health when there is heavy rain which could overflow. Would this impact on public health, ultimately this feeds the River Amman.

With regard to the issue of the potential effects of the development upon the water course, Natural Resources Wales (NRW) have been consulted on this matter. Following discussion and amended waste management plans, NRW do not object to the proposal, subject to the following of guidance relevant to the aspects of the development outside of planning control. Therefore, with regard to the issue of the watercourse and concerns regarding water quality, based on the information provided, this point of objection cannot be sustained.

- The additional, potentially heavy traffic will create noise and safety concerns for the children and other pedestrians who use the road/lane which do not have pavements. Public footpaths could also be affected and this could even pose a danger under the Children's Act 2004 under which the Council has to have regard to safeguard and promote the welfare of children.

The Head of Transport - Has been consulted and has offered no objection to the application.

- Taking into account the acreage, land and productivity, is the proposed stocking sustainable and are such large buildings lagoons necessary?

The Authority's Agricultural Valuer has been consulted on the application. Initially, the application was submitted on the basis of 209 acres of the land (out of the total 262 acres) being leased on a 5 year Farm Business Tenancy (FBT) which the Authority's Valuer stated was unsustainable as the agreement was too short. Since the initial submission it has recently been advised that the applicant for the application has changed and with the change the FBT has increased to 10 years which although short, is the minimum time period deemed acceptable. Consequently, the current proposal is now solely based on the 209 acres of the FBT, which the Authority's Valuer is content continues to constitute a viable unit that can justify and sustain the proposed development.

In addition, as there is a new applicant, the information in terms of stocking (existing & proposed), farming enterprise have been revised and are covered in a revised manure management plan submitted in respect of the new tenant and applicant

CONCLUSION

As discussed above, the main issues for this application relate to the effect of the proposal on the amenity, mainly through the potential for intrusive smells to spread from the new farm yard and slurry lagoon to the residential properties, together with the potential for noise pollution, in particular the possible effect upon the four closest properties located between 170 and 350 metres or so away. All the considerations of the evidence provided to date have been assessed by officers and colleagues, with the consensus that the proposal would not have a significant detrimental effect upon these neighbouring properties, nor detrimentally affect the water quality in the area, albeit no NIA has yet been received. As the request for a NIA was only made late in the determination process, the applicant has agreed to commission the necessary works, albeit this will not be possible by the time the application is presented to the Planning Committee. In light of which, it is requested that any recommendation made to grant planning permission, and subsequent resolution to approve, would be subject to the submission and favourable consideration of a NIA for the proposal.

The previous application was withdrawn due to a lack of information regarding the mining works that have been undertaken in the area. As a result, the current application has been submitted with a Mining Investigation Report which has informed the application insofar as

the siting and layout of the yard has altered from the original application to account for the information contained within the report. As a result, the proposed yard is slightly further away from the nearest properties too. With regard to the submitted Mining Investigation Report, the Coal Authority does not object to the proposal, being broadly satisfied with the details and conclusions of the report.

The final issue for consideration relates to the long term agricultural viability of this proposal based on the acreage, farming enterprise and FBT. In light of changes in the applicant and acreage of the holding, colleagues in the Property Service continue to be supportive of the proposal.

Despite the concern that has been shown, all of the consultation responses that relate to the technical and scientific aspects of the proposal, other than for noise, have concluded that the proposal would be an acceptable form of development, subject to conditions and advice.

As such, the proposed development is considered to comply with the local and national planning policies, and is recommended for approval subject to the aforementioned prerequisite that a NIA is submitted and considered by officers.

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 hereby permitted shall be carried out strictly in accordance with the following plans received on the 8 December 2016 unless amended by any of the following conditions:-
 - 1:1250 scale Site Location Plan (CW437/05 H);
 - 1:500 scale Proposed Site Layout Plan (CW437/03 J);
 - 1:200 and 1:250 scale Proposed Site Sections (CW437/04);
 - 1:100 scale Proposed Layout and Elevations – Unit A (CW437/01 C);
 - 1:100 scale Proposed Layout and Elevations – Unit B (CW437/02 A).
- 3 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development and any trees or plants which within a period of five years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variations and thereafter shall be retained in perpetuity.
- 4 Daytime working hours for any construction works are to commence no sooner than one hour after sunrise and finish no later than one hour before dusk. At night, a quiet dark 7 metre corridor shall be retained along the watercourse and its bankside vegetation.

- 5 No development approved by this permission shall be commenced until an Ecological Management Plan detailing all necessary ecological retentions and mitigation measures, delivering the ecological recommendations listed within section 5 of the submitted Ecological Assessment Report by Amber Environmental Consultancy, dated June 2015, is submitted to and approved in writing by the Local Planning Authority. The plan shall then be implemented as approved.
- 6 The use of the buildings hereby approved shall be used strictly for the purposes of agriculture, as defined in Section 336 (1) of the Town and Country Planning Act 1990 (as amended)

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-3 In the interest of visual amenity.
- 4-5 In the interest of ecological protection.
- 6 To control the integrity of the open countryside.

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 accords with policy GP1 of the Carmarthenshire Local Plan in that the proposed development conforms with the rural nature of the area and features and incorporates landscape features to reduce and mitigate the potential detrimental impact upon the amenity of the occupiers of the nearby residents in terms of smells and noise whilst providing satisfactory methods for the generation, treatment and disposal of foul, surface water and waste and provides an acceptable vehicle access to serve the site.
- The proposed development accords with policies EP1 and EP2 of the Carmarthenshire Local Development Plan in that the water and air quality of the area will not be unduly harmed by the agricultural development.
- The proposed development accords with policy EQ5 of the Carmarthenshire Local Development Plan in that the proposed development has been assessed not to have any undue or detrimental harm to the existing ecological features adjacent to the application site.

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 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 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 Attention must be paid to the advised best practice measures detailed in Natural Resources Wales' response dated 07/11/17.

Application No	E/35356
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	IMPROVEMENT TO EXISTING FIELD ACCESS TO FACILITATE ACCESS TO A 5 CARAVAN CL SITE AT LAND AT BRYNHYFRYD, TALLEY ROAD, LLANDEILO, SA19 7HU

Applicant(s)	MR & MRS EYNON PRICE, BRYNHYFRYD, TALLEY ROAD, LLANDEILO, SA19 7HU
Agent	NAYLOR SALE & WIDDOWS LLP - IAN NELSON, THE OLD LIBRARY, RISLEY LANE, BREASTON, DE72 3AU
Case Officer	Kevin Phillips
Ward	Manordeilo & Salem
Date of validation	31/03/2017

CONSULTATIONS

Head of Transport – Offers no objection to the proposal subject to the imposition of 8 conditions.

Manordeilo and Salem Community Council – No objections

Local Member - County Councillor J Davies is a member of the Planning Committee and has made no prior comment on the proposal.

Public Rights of Way Officer- Footpath 44/104 abuts 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. If the development affects the Public Right of Way it is recommended that the applicant contacts the Public Rights of Way department

National Grid – No comments received.

Neighbours/Public - The application has been publicised by the posting of a Site Notice and six letters of objection have been received. The issues of objection raised are as follows;

- There is highway safety concern from the increased traffic to/from the site and the creation of a new access

- Safety concern for local children.
- There is concern regarding noise and pollution for refuse collection.
- Concerns of the proposal upon the local ecology
- The proposal is not in keeping with the rural character of the area
- Concern that caravanners will become grounded at the site because of the poor ground conditions
- Loss of privacy for local residents
- Light pollution for the area
- Concern regarding the ability to access water and the safe disposal of waste.
- The proposal has resulted in the public footpath being blocked.
- Concern that pollution from vehicles enters the watercourses.
- The application form conveys that there are no trees or hedgerows impacted and their removal will make the site more visible.

RELEVANT PLANNING HISTORY

There is no relevant planning history

APPRAISAL

THE SITE

The application site is an agricultural field that forms part of the holding at Brynhyfyd, Llandeilo. Access to the site is from the C2118 road that runs from the B4302 Talley road, to the village of Penybanc to the west. The road is delineated by mature hedgerows and there is a single dwelling, Llety-Maelog opposite.

THE PROPOSAL

This is a retrospective application for a new improved access onto a "C" class road, to serve the proposed need for a 5 caravan or motorhome certified (CL) site at the aforementioned location.

The Camping and Caravanning Club holds a Certificate of Exemption under Section 269 (6) of the 1936 Public Health Act, as well as Section 2 of the First Schedule to the Caravan Sites and Control of Development Act 1960, which permits the Club to establish small sites without the need to obtain a specific planning approval. However, there is a need to consult the Local Planning Authority in relation to the aspect of the highway safety and during the consideration of the CL licence application, the Local Planning Authority were consulted which included the consultation of the Head of Transport. The Head of Transport required the submission of a routing plan that controlled the arrival and exit of the visitors to the site and improvements to the visibility splays for the access. Whilst there was an acceptance by the applicant and the motor caravanners club in terms of adherence to the routing stipulations to/from the site and the visibility splay requirements, works were undertaken by the applicant that resulted in a new and enlarged access being formed without the submission of a planning application.

PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless

material considerations indicate otherwise. The Development Plan for the purposes of this application comprises the Carmarthenshire Local Development Plan. In terms of the application's policy context, reference is made to the following Carmarthenshire LDP policies and guidance.

Policy GP1 Sustainability and High Quality Design is a general policy which promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Development proposals should also not have a significant impact on the amenity of adjacent land uses and properties.

Policy TR3 Highways in Developments - Design Considerations requires the design and layout of all development proposals to, where appropriate, 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; an 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; and provide 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.

THIRD PARTY REPRESENTATIONS

Six letters of objection have been received from local residents and the issues of objection shall be addressed herewith:

There is highway safety concern from the increased traffic to/from the site and the creation of a new access and safety concern for local children

The Head of Transport has been consulted on the application for the access and there is no objection to the proposal, subject to the imposition of 8 conditions on any permission that may be granted.

There is concern regarding noise and pollution for refuse collection

This application is for a revised access to serve a proposed 5 caravan or motorhomes certified site and whilst there will be refuse from the visitors to any accepted CL site, it is considered that the level of waste will not be such that it will result in significant noise from refuse collection.

The proposal is a small development and any issue of noise generated from the site will be a public nuisance issue for action by the Public Protection section.

Concerns in regard to the proposal's impact upon the local ecology

The Authority's Planning Ecologist has raised no objection or concerns regarding the proposed development at the site.

The proposal is not in keeping with the rural character of the area

The proposal is a retrospective application for a new improved access onto a C class road, to serve the proposed need for a 5 caravan or motorhomes certified site at the aforementioned location. The Camping and Caravanning Club holds a Certificate of Exemption under Section 269 (6) of the 1936 Public Health Act, as well as Section 2 of the First Schedule to the Caravan Sites and Control of Development Act 1960, which permits the Club to establish small sites without the need to obtain planning permission. The site has been granted a licence for a CL site by the motor caravanners club, however as a result of the new access being created without the relevant planning permission the licence was revoked. This planning application is to allow the applicant to acquire the CL licence again. However, the proposed access is for consideration and it is not considered that the proposal will be out of keeping with the rural character of the area.

Concern that caravanners will become grounded at the site because of the poor ground conditions

This is a retrospective planning application for an access to serve the proposed CL site and the issues of becoming grounded are not a material consideration in this application.

Loss of privacy for local residents

This is a retrospective planning application for an access to serve a proposed CL site which does not presently benefit from a CL certificate, and any issue or concern regarding the impact that the proposed 5 caravans or motorhomes will have upon the living conditions of local residents is a matter to be raised with the caravan certifying body. The proposed access at this location will not result in any significant loss of privacy for local residents.

Light pollution for the area

This is not considered to be a material planning consideration in the determination of this planning application for the access.

Concern regarding the ability to access water and the safe disposal of waste.

This is not considered to be a material planning consideration in the determination of an application for the access. However, the guidance applied in terms of the CL site will require that organisations will act responsibly when disposing of the contents of chemical toilets and waste water and take full account of the need to safeguard water supplies and prevent the pollution of rivers and streams.

There is an ongoing enforcement investigation into an unauthorised waste water and storage facility sited within the ground at the site, which is not the subject of this application.

The proposal has resulted in the public footpath being blocked.

The Country Footpath Officer has visited the site and whilst it has been conveyed that the footpath is in a poor condition and appears not to be in regular use, and the stile at the entrance is overgrown and dilapidated, it is intended to improve the situation with the footpath through appropriate highways legislation.

Concern that pollution from vehicles enters the watercourses.

The proposal in terms of the new access to serve a possible CL site is not considered to be of a scale that will result in any significant harm from pollution from visiting vehicles.

The application form conveys that there are no trees or hedgerows impacted and their removal will make the site more visible.

This is a retrospective planning application and the works to create the access has already resulted in the translocation of the hedgerow fronting the site to the western side, to allow for the visibility improvements when accessing/exiting the site, in accordance with the Head of Transport's requirements. The hedgerow remains and continues to screen the enclosure to the south.

CONCLUSION

The application is for an access to serve the needs of a proposed CL site, which was previously granted a certificate by the motor caravanners club, and whilst the site presently does not benefit from a certificate because the works undertaken to the access did not have planning permission, whereby the motor caravanners club withdrew the certificate, the applicant intends to resubmit his CL site application. The proposed access is an improvement to the previous access at the site, having received a favourable response to consultation from the Head of Transport. Whilst it may be considered that the retrospective application for the access is premature, it is reiterated that the site received a CL site certificate previously.

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 proposed access is acceptable and accords with policy. In light of the above, and having assessed the principal issues of highway safety and amenity concerns, this application is put forward with a recommendation for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 13 th April 2017

- 2 The above approved development relates to the following plans and documents and works should be carried out in accordance with them unless amended by any conditions below:
 - Location Plan, Field Plan, Site Plan, Entrance and Tracking in and out plans(3369/01B), received 15 May 2017.
- 3 Any access gates shall be set back a minimum distance of 12.0 metres from the highway boundary, and shall open inwards into the site only.
- 4 There shall at no time be any means of vehicular access to the development from Brynhyfryd Farm via the B4302 Road.
- 5 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 90 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. And there shall at no time be any growth or obstruction above 0.9 metres in height within this splay.
- 6 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 7 The access shall be hard surfaced for a minimum distance of 12.0 behind the highway boundary, in materials which shall be subject to the prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.

REASONS

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2 In the interest of visual amenity
- 3-7 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.

- The proposed development complies with Policy GP1 of the Carmarthenshire LDP in that it is an appropriate form of development that is acceptable to the character of the area.
- The proposed development complies with Policy TR3 of the Carmarthenshire LDP in that the access is an appropriate design and layout that is acceptable to the requirements of the site and the character of the area.

NOTES

- 1 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)
- 2 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.

It is the responsibility of the developer to contact the Streetworks Manager of the Local Highway Authority to apply for a Streetworks Licence before undertaking any works on an existing Public Highway.

Application No	E/36183
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	NEW ECO-HOUSE AT LAND ADJ TO 'NEW HOUSE', CILYCWM, LLANDOVERY, CARMS, SA20 0SS

Applicant(s)	MR AND MRS SPEAKMAN, GREENFIELDS, NORTON CANON, HEREFORD, HR4 7BH
Agent	SUSTAIN BY DESIGN - SIMON BROWN, THE LONG BARN, TY MAWR ROAD, GILWERN, ABERGAVENNY, NP25 3NZ
Case Officer	Kevin Phillips
Ward	Cilycwm
Date of validation	26/09/2017

CONSULTATIONS

Cilycwm Community Council – There is no objection in principle to a new house on this plot. However, the following points were raised by Councillors:

- The scale of the house proposed (14m long, 10m. deep and 8m. tall) is a concern.
- Materials and design is felt not to be in keeping /sensitive to the historic surroundings
- Eco credentials appear limited
- No assessment on effect on Listed buildings and Historic environment.
- Preservation of hedging etc in line with natural features should be protected as far as possible
- The off road parking is a welcomed feature of the proposal

Local Members - County Councillor Arwel Davies has not commented on the application.

Head of Transport – Following re-consultation as a result of a revised layout plan, the response to re-consultation is awaited.

Neighbours/Public – A site notice has been posted and 6 letters of objection have been received as a result. The issues of objection raised are;

- The proposed dwelling will be 2 metres from an LPG tank which contravenes gas safety rules
- The scale of the dwelling will be out of keeping with adjacent dwellings and other dwellings in the village
- The materials proposed are not in keeping with other dwellings in the village

- The dwelling will block light for 1 and 2 New House, and Green Lodge, Cilycwm
- The proposal conflicts with policies GP1, H2 and EQ1 of the Carmarthenshire Local Development Plan.
- There is concern regarding the access from the site.
- There is concern regarding the preservation of the water gully in the highway fronting the application site.
- The proposal will have an unacceptable impact upon the listed buildings of Ty cornel and Lamb House
- There will be overlooking of adjacent properties' gardens

RELEVANT PLANNING HISTORY

E/25312 One residential dwelling
Outline Planning Permission

10 November 2011

APPRAISAL

THE SITE

The application site is an area of land between the curtilages of 1 New House and Green Lodge within the village of Cilycwm, Llandovery. The site is approximately 27 metres in depth and a width of 14.6 metres at the front of the plot and 18.0 metres at the rear, with the C2157 road fronting the site. There are two semi-detached dwellings to the north of the site and a two semi-detached dwelling to the south, with a terrace of cottages on the opposite side of the highway and land at the rear is agricultural land.

THE PROPOSAL

This is a full planning application for an eco-house with three bedrooms and a studio workshop at first floor and an open plan kitchen, dining, living and garden room and a second studio workshop below the aforementioned first floor studio workshop at ground floor. The house is 14.15 metres in length and 5.6 metres in depth, with a small porch on the front elevation and a small single storey extension at the rear (south side), with access onto a verandah to the northern rear side. The eaves height of the house will be 4.5 metres and the ridge height 7.4 metres and the subordinate two storey north side extension with the studio workshops therein will have an eaves height of 3.7 metres and ridge height of 6.5 metres. The house will be finished in lime render with a natural slate roof; the extension at the rear will be unstained larch boarding, windows will be high performance timber and there will be solar panels on the rear elevations of the rear extension and verandah. The dwelling will be set back 10 metres from the highway with a parking and turning area fronting the dwelling. There is also a proposal for a temporary static caravan fronting the dwelling.

PLANNING POLICY

The application falls to be considered against Policies within the Carmarthenshire Local Development Plan (LDP). The relevant policies are:

In the context of the current development control policy framework, the site lies within the settlement limits. As such the proposal is assessed in accordance with Policy H2 of the LDP. This policy allows housing within settlement limits provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy GP1 Sustainability and High Quality Design is also applicable and relates to a number of criteria including character, amenity and access. Developments should conform with and enhance the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing. They should also utilise materials appropriate to the area within which it is located and should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community.

Policy AH1 applies in relation to affordable housing contributions; at this location a sum of £88.82 per sqm is required.

THIRD PARTY REPRESENTATIONS

The issues of objection are addressed herewith;

The proposed dwelling will be 2 metres from an LPG tank which contravenes gas safety rules

This is not a material planning consideration as planning legislation does not have any control over the siting of the LPG tank. There is no justification to refuse the application on the ground that there is an LPG tank at the adjacent property.

The scale of the dwelling will be out of keeping with adjacent dwellings and other dwellings in the village

The proposed dwelling is of a scale and design that reflects the mixture of other dwellings in the village of Cilycwm. It has a simple traditional rectangular form, with a subordinate two storey extension at the northern end, and a saddle roof which also reflects numerous other dwellings in the locality. There is a terrace of simple cottages opposite and Green Lodge is also a cottage style dwelling located adjacent and to the south. To the north, 1 and 2 New House have a similar form to that proposed, however there are split level dormer windows at first floor of the front elevation. The height of the eaves level of the proposed dwelling is 4.5 metres and the ridge is 7.4 metres with the subordinate two storey extension to the northern side for the studio workshops. Taking into consideration the proposed height of the dwelling against the other dwellings adjacent and in the locality and considering the setting of the dwelling back 10 metres from the highway, the proposal is not considered to be out of keeping within the village. The eaves height at 4.5 metres and the saddle roof being of a typical pitch, the dwelling is not considered to be of a scale that is out of keeping in the locality.

The materials proposed are not in keeping with other dwellings in the village

The dwellings in the village have a mixture of material finishes, the elevations are primarily cement render, stone, brick, rough cast render and the roofs are slate finish; the proposed materials of lime render and a slate roof are considered to be acceptable in terms of respecting other dwellings in the village.

The dwelling will block light for 1 and 2 New House, and Green Lodge, Cilycwm

The dwelling is set away from each dwelling sufficiently and its aspect will be such that there will be no significant light loss for any adjacent dwellings, specifically 1 and 2 New House and Green Lodge.

The proposal conflicts with policies GP1, H2 and EQ1 of the Carmarthenshire Local Development Plan

The proposed house at this location is of a scale, design and materials that is considered in keeping with other dwellings in the locality. A Planning Statement has been submitted in support of the application which considers the design aspects of the village and has included these within the proposal. The house is sited at a location set back from the principal elevations of existing dwellings in the village, which will result in a setting which brings the perceived scale of the dwelling in relation to other dwellings down, resulting in a proposal that is not considered harmful to the character of the village. The proposal is not considered to adhere to the principles of siting, appearance, scale, height, massing, elevation treatment, and detailing required by the abovementioned policies.

There is concern regarding the access from the site.

Following the receipt of amended layout plans which provides an access to/from the site the northern boundary and parking facilities within the curtilage of the dwelling, the Head of Transport recommends that conditions are applied to any planning permission.

There is concern regarding the preservation of the water gully in the highway fronting the application site

The proposal will result in the need to cross the cobbled gutter that runs along the highway boundary, which is the existing state of affairs with all other dwellings in the village that front the highway. There is no justification to refuse the application on this ground.

The proposal will have an unacceptable impact upon the listed buildings of Ty Cornel and Lamb House

The two listed buildings above are not adjacent to the application site, they are at the junction with the C2157 and C2270 roads (25 metres away to the south east) and 34 metres to the south (in the terrace of the centre of the village) respectively. Both listed buildings will not be visible from the dwelling at the application site and the proposed dwelling will not result in any harm to the setting of the listed buildings.

There will be overlooking of adjacent properties' gardens

There are no windows in the gable elevations of the dwelling and therefore it is considered that there will not be any loss of privacy for the adjacent dwellings.

CONCLUSION

The proposed development of a single residential dwelling at this location within the development limits of Cilycwm, Llandovery is an appropriate use of the site which is supported by policy H2 of the LDP which permits such development providing it does not generate any highway, amenity or utility service objections.

The site is a level area of infill land within the settlement limits. It is deemed that an acceptable detailed design has been received following a previous outline permission for a dwelling at the site. It is considered reasonable to permit the proposed development at this location which would not have an adverse effect on the character of the area or the general

amenities of neighbouring properties or land at this location. The application includes an Unilateral Undertaking to pay the relevant affordable housing contribution.

The proposal is considered to be a sympathetic scheme that adheres to the relevant planning policies. The issues of objection have been addressed above and do not justify the refusal of the proposal. Therefore, the application in principle is considered to adhere to LDP policies and is supported subject to the following conditions.

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 above approved development relates to the following plans and documents and works should be carried out in accordance with them unless amended by any conditions below:
 - Existing Block Plan(003), received 18 August 2017
 - Proposed Floor Plans(110), received 18 August 2017
 - Revised Proposed Site Plan(105), received 31 October 2017
 - Proposed Elevations (120), received 21 November 2017
- 3 The new vehicular access shall be laid out and constructed in accordance with the Revised Proposed Site Layout drawing no: 105 Issue: 1711-001 dated: 27/10/17 prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 4 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 C2157 Road frontage within 2.4 metres of the near edge of the carriageway.
- 5 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.
- 6 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 7 The caravan identified on the plans referred to in Condition 2 shall be removed on or before 1st January 2020.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity
- 3-6 In the interest of highways safety
- 7 In the interest of visual amenity and to ensure that the caravan does not remain in occupation when the dwelling is occupied.

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 H2, AH1, GP1 and GP2 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that the dwelling is not detrimental to the character and appearance of the area and it is not considered there are any significant impacts in relation to amenity. Sufficient amenity space is provided for the proposed dwelling with appropriate parking and access provided.

NOTES

- 1 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 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.

- 4 This Planning Permission is tied to an Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 that an Affordable Housing Contribution (policy AH1 of the Carmarthenshire Local Development Plan) of £13,234.18 shall be paid to Carmarthenshire County Council upon commencement of the development.