

Application No	W/35730
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF TWO A1 UNITS AND ONE A3 UNIT WITH ASSOCIATED CAR PARKING AT FORMER CARTREF TAWELAN, ASH GROVE, CARMARTHEN, SA31 3PY

Applicant(s)	ASPECT DEVELOPMENTS LTD, C/O AGENT,
Agent	JCR PLANNING LTD - MR JASON EVANS, UNIT 2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Stuart Willis
Ward	Carmarthen West
Date of validation	26/06/2017

CONSULTATIONS

Head of Transport – Have responded raising no objection to the proposal. They recommend a number of planning conditions with any approval. These include those in relation to access layout, gates, visibility, parking provision and provision of a travel plan.

They also provide comments on the assessment of the proposal including the following:

“The proposals seeks use of an improved/widened existing access with new segregated pedestrian footway, from the 20mph statutory speed limited Ash Grove road, that currently serves the care home. The care home is not proposed to be demolished and existing, centrally located, parking provision has been retained for the building’s ongoing use.

A new level footway is proposed to provide direct pedestrian access to the development from the footway adjacent to Jobswell Road.

Parking provision is made within a new car park, in general accordance with the CSS Wales’ Parking Standards 2008 and includes for one disable space, twenty car spaces and a cycle parking area located adjacent to the units. However, the provision of at least one motorcycle space has not been made.

The site access is located within 200m of the National Cycle Route 4 (NCR4) on the B4312 at Monument Hill. Delivery arrangements for the units will allow the 10 metre long Co-Op delivery vehicles to reverse through the proposed new car park. A Delivery Management Plan has been proposed that will be required to provide details for how this will be safely

managed. In feedback provided to the developer it was advised that a delivery management plan be secured with details provided of the schedule and amount of deliveries to the development to ensure that the Co-Op 10m rigid delivery vehicle operates safely and outside of the peak hours. Similar information has been requested for any 3rd party operators that are expected to visit the site eg bread delivery vehicles as used at other similar Co-Op sites. In addition, priority give way markings are now proposed at the access junction into the Cartref Tawelan with the retail development traffic given priority over the Cartref Tawelan traffic.

The planning application was accompanied by a TA (Transport Assessment) dated April 2017. Following a review of that TA the applicant was requested by CCC Highways to provide further information in order that the capacity of Jobswell Road / Monument Hill signal controlled junction could be ascertained using an agreed figure of 10% new trips and allowing for the return to use of the Tawelan Care Home. Amendments were also sought to the proposed parking layout at the development site. However, the Welsh Government highways officers also sought capacity assessment of Jobswell Road / Monument Hill signal controlled junction with a sensitivity test assuming that 100% (all) of the trips attracted to the proposed development are new to the highway network.

This capacity assessment was submitted in the form of a Transport Assessment Addendum (TAA) dated Dec 2017. The TAA submitted presents the results of a more robust scenario than the local we had requested (as a means of addressing comments made by WG/SWTRA on the planning application) and considers all trips generated by the development to be primary trips. The development is forecast to generate 77 and 68 vehicle movements in the AM and PM peaks respectively. In reality only 10% of these trips would be primary trips (new trips) with the remainder already on the surrounding road network.

The junction capacity results presented in the TAA show that the development would have a negligible impact on the Job's Well Road signals and that the junction would continue to operate with a small amount of spare capacity during the AM and PM peak hours".

Carmarthen Town Council – Has objected to the proposal on the following grounds:-

- increase in traffic in an already congested area;
- the loss of a green space/impact on the environment;
- the possible negative impact of this new development on any future re-development at the former Glan Tawelan Care home itself (ie the existing building that now stands empty);
- Members require further information about what the proposals regarding the future use of that building before they can make an informed decision on this planning application.

Local Member - County Councillor E M J G Schiavone has responded raising the following issues:

- The nearby residents directly affected by the proposed development are concerned about the increased volume of traffic in what is already a congested area.
- There are existing issues with limited parking in this area which will be exacerbated by additional vehicles utilising the proposed development.
- The increased traffic flow will impact negatively on pedestrian safety including schoolchildren walking to and from school.
- The proposed development will eradicate an attractive green space.

- There is a lack of clarity in terms of the future use of the existing Tawelan building and how this might impact negatively on the local residents.

County Councillor A D T Speake has objected to the proposal and requested to address the Planning Committee. He has also requested that members carry out a site visit. The following issues were raised:-

- limited information has been provided;
- parking issues from future driver/shoppers parking in nearby streets worsening existing issues;
- insufficient parking provision proposed;
- parking on bends creating highway safety issues;
- the planned increase in the volume of local traffic when the traffic lights at Johnstown Square and the T-junction located at Jobs Well Road/Ash Grove junction is well known to be heavily congested during peak periods of the day time;
- highway and pedestrian safety based on what will be a substantial increase in the volume of local traffic;
- further traffic in the future from Carmarthen West;
- questioning of the investment to the area;
- previous housing developments approved despite warnings over traffic congestion;
- proximity to Tesco store – 95% of the local population drive to the store, 5% walk/cycle;
- insufficient need for a further food store or A3 use as sufficient local facilities;
- further A1/A3 provision leading to impacts on existing small businesses;
- insufficient space for vehicles to manoeuvre within the site;
- questioning of information provided in supporting statements;
- need to consider possible impacts upon the Care Home;
- requests that Care Home proposals be included in the submission;
- The nearby residents directly affected by the proposed development are concerned about the increased volume of traffic in what is already a congested area;
- There are existing issues with limited parking in this area which will be exacerbated by additional vehicles utilising the proposed development;
- The increased traffic flow will impact negatively on pedestrian safety including schoolchildren walking to and from school;
- The proposed development will eradicate an attractive green space;
- There is a lack of clarity in terms of the future use of the existing Tawelan building and how this might impact negatively on the local residents;
- Timing of a site visit should be during busy traffic periods;
- Photographs from objectors should be include in the presentation;
- Cllr Speake has also subsequently made further comments. These related primarily to the Transport Assessment. He feels that the details provided are not accurate. He feels that the volumes of traffic have been under estimated. There is also concern over the ability for a 10m vehicle to reverse within the site and the dangers of this within a car park open to the public. Reference is also made to the petition and that this shows the strength of feeling form local people. He feels that the proposal would radically alter the local topography and that the locating a commercial development in a residential area is not appropriate.

Head of Public Protection – Have responded in relation to a number of considerations.

Noise

In relation to noise impacts they note that the current site contains a residential care home that, although currently vacant, could potentially be brought back into use as things stand. Also, the area is predominantly residential and there are properties within similar proximity to the proposed unit as the care home along Job's Well Road.

As a result, noise issues should be a consideration for this development, particularly given the long proposed opening hours for the proposed development (6am to 11pm and 8am to 10pm, seven days a week). The siting and selection of plant associated was considered important and refer to conditions regarding noise levels.

A Noise Impact Assessment (NIA) was requested.

Following the submission of additional information including a Noise Impact Assessment further comments were sought and these raise no objection in relation to noise. Conditions are recommended including ones relating to noise levels, opening and delivery times.

Air Quality

The Transport Assessment identified a potential number of vehicle trips associated with the proposed development at just under 1000 a day. In view of the location of the site being just outside of the boundary of the Carmarthen Air Quality Management Area it was considered prudent to request that an Air Quality Assessment (AQA) be submitted in respect of the proposed development. The AQA should also consider the impact from the proposed conversion of the existing nursing home facility in to an office complex.

Subsequently an Air Quality Assessment has been submitted as part of the application and has been completed in accordance with the relevant legislation and guidance. Local air quality monitoring data has been used as part of model verification and as comparison against to determine potential impacts from the traffic generation associated with the proposed development. The conclusion of the Assessment is that it is unlikely there will be a significant negative impact from the development in terms of nitrogen dioxide or particulate matter. Additionally, it is hoped that the Carmarthen Western Link will be opened before the completion of this proposed development, if it is granted permission. This would ease the traffic impact from the development and alleviate any impacts on the Carmarthen Air Quality Management Area, which lies in close proximity to the proposed development.

Therefore, it is not considered that the proposed development will have a significant adverse impact on air quality as regulated under the Environment Act 1995 and in relation to the requirements of Local Air Quality Management. In conclusion there were no adverse comments or recommended conditions.

Dust

A condition has been recommended in relation to managing dust during construction. Details of mitigation measures in relation to dust nuisance were subsequently submitted and these detailed mitigation measures can be conditioned.

Contamination

Due to the nature of former land uses it was not considered any further details were required and no conditions are recommended.

Welsh Water/Dwr Cymru – Offer no objection to the application.

Land Drainage Officer – Initially advised that a soakaway test should be carried out as the location of the site is within a built up area. It was stated that an alternative option is available that would require works to be undertaken at the adjacent carriageway. It is now noted however that the applicant has chosen to utilise an Aco Drain across the entrance to control run-off and find this solution acceptable.

Public Rights of Way – Have confirmed there are no rights of way affected.

Natural Resources Wales – Offer no objection to the application.

Welsh Government (Transport) (WG) – Initially responded requesting further information regarding proposed and existing traffic levels. This included questions over whether the existing traffic counts took place before or after the care home had closed. Clarification was sought as to whether the details provided looked at the “worst case scenario” regarding traffic and its impacts.

Further information was subsequently submitted and WG responded stating they do not consider that the proposal would have a material impact on the A40 trunk road and have no objection or further comments to make.

Neighbours/Public - The application has been publicised by the posting of Site Notices near to the site. To date 11 responses have been received in this application. The following issues were raised:-

- existing parking issues;
- insufficient parking provision for the development;
- possible need to dedicated parking in the surrounding area;
- increase in traffic leading to further congestion;
- questions over who the proposed occupant of the units would be;
- highway safety implications;
- increase in traffic on top of existing issues;
- traffic creating danger for pedestrians;
- there are existing facilities in the area and these are not needed;
- reference to building of a new Primary School on Pontcarreg farmland;
- questions/comments over possible relocation of existing commercial uses elsewhere in the town;
- suggestions of alternative uses for the existing building and the application site;
- disturbance from increased litter, smells, pollution, disturbance and noise from the proposed units;
- development inappropriate to the area;
- loss of trees and green space;
- site is in a residential area;
- timing of transport studies not appropriate – should be during school time traffic;
- proposal as an "eyesore";
- disturbance from deliveries and vehicles has been referred to being detrimental to sleep;
- site visits being during busy periods of traffic;
- Impacts on human rights were raised in terms of people’s enjoyment of their property;

- it was also queried why photographs submitted by objectors could not be included in the presentation;
- the timing of the application being presented to the planning committee during the Easter holiday period when interested parties may be away has also been queried;
- non-compliance with conditions if application is approved;
- impacts from lighting during the evening/night;
- anti-social behaviour due to alcohol licence

A petition signed by 582 people opposing the application has also been received. The petition referred to the following objections:-

- increase in traffic on top of existing issues;
- there are existing facilities in the area and these are not needed;
- reference to building of a new Primary School on Pontcarreg farmland.

RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

APPRAISAL

THE SITE

The application site comprises part of the grounds of the former Tawelan Care Home. The site is located off the western flank of Jobswell Road, Johnstown at the western end of Carmarthen. The site comprises the southern part of the site which currently has now buildings within it and is grassed. The site is located approximately 95m north of the Jobswell Road Traffic lights where the road meets Monument Hill. The site is bounded to the west by Jobswell Road and to the south and east by Ash Grove. There are residential properties on the opposite side of the road to the south, west and east. To the north of the site is the building formerly used as the care home and the remainder of the grounds. There are further residential properties to the north in the wider site. There is an access to the site off Ash Grove to the eastern side of the site. The land slopes from the north to the south. The application site itself is raised above the road to the south. At the time of the application there were some trees within the grassed area. Along the boundary of the site was an open timber fence.

The application site does not include the care home building itself. While reference was made in the submission initially that there would be an application for the care home to be converted to office running concurrently this has not been the case.

The site is located within the development limits of Carmarthen as delineated by the Carmarthenshire LDP. The site has no specific designation and is "white land". The site was formerly in the ownership of the Authority. The site however was sold and the Authority no longer owns any part of the site.

THE PROPOSAL

The application requests full planning permission for the construction of two A1 retail units and one A3 unit with associated parking.

During the application additional information was submitted following the receipt of comments from consultees and comments made on the proposal. This included a noise impact assessment, air quality assessment, amended landscape details and additional information in relation to highways considerations.

The proposal would utilise the existing access with it being appropriately widened. The new drive would then run south west across the site leading to the far end of the site. The buildings would be located at the southern end of the site with the drive/car park areas between the proposed buildings and the former care home building. There are a total of 21 parking spaces proposed either side of the new drive/road. One of these would be a less abled space and one a family space. A storage compound is located to the west of the retail units. This would be enclosed with a 2.5m high paladin security fence. Along the western side (Jobswell Road) of the site the application shows the planting of a new hedgerow along the boundary of the retail units. Amended plans have now shown that this hedgerow would continue along the whole of the western boundary of the former care home site. A pedestrian access is proposed off Jobswell Road leading in to the site.

The proposed units would be located in 1 single storey building. The western most end of the building is the largest unit (A1) and measures some 347sqm. The retail floor space would be 232sqm. The middle section is the smaller A1 unit (110sqm) and the eastern most unit is 70sqm. The roofed is proposed to be covered in slate, with grey aluminium rainwater goods, grey aluminium fenestration units, and a mix of walls finished in white render and brickwork with elements of wooden cladding.

In relation to opening hours it is suggested that the larger A1 unit would then operate from 6am to 11pm seven days a week, while the remaining two units, including the A3 unit would operate from 8am to 10pm seven days a week.

External lighting is also proposed at various locations across the site.

Further clarification was given during the application that the lighting. In terms of bin storage areas the agent has commented that the location was chosen on the basis of the orientation of the proposed building's elevations, main access points and service arrangements. Alternative areas further to the south east of the current position and along the south eastern elevation of the building, but these were felt to be more prominent, taking into account site and adjoining land levels, as well as adjoining uses. In terms then of the storage requirements of the two smaller units, these will be met within the proposed units themselves, with no external storage facilities being required.

The landscape scheme submitted with the application was been amended. It is now proposed to have a new hedgerow along the whole of the Jobswell Road boundary, including the land north of the main application site adjacent to the former care home. The hedgerow will run along the western and southern boundaries of the site to the vehicle access. Amended cross sections showing the hedgerow position and how this would link with the proposed levels of the land have also been submitted.

Transport Assessment

A Transport Assessment was provided looking at the impacts of the proposed development. This refers to three sets of bus stops being located within 60m of the site and that the pedestrian facilities in the vicinity of the site are of good quality with footways, street lighting,

and links to the further pedestrian network within the nearby town centre. National Cycle Route 4 (NCR4) is also within 100m of the site.

Looking at the proposed development it states the proposed development has the potential to reduce the need to travel by car and walking has the potential to replace short journeys. The statement acknowledges that the nearby junctions experience congestion at peak times. A peak hour traffic survey was undertaken and observed queues of up to 20 vehicles (120m) commonly occurring on all arms of the junction during peak times. Reference is made to the Carmarthen West relief road easing congestion currently experienced once completed.

The existing access to the site is to be widened to accommodate 2 way access and a segregated footway will also be provided. Reference is made to the CSS Parking Standards which the Authority use and how this provides parking requirements based on the floor area of the units and their use class. Twenty-one spaces are provided as well as a shared commercial vehicle parking space.

TRICS data has been used when looking at likely traffic generation from the proposal. The data considers the type and size of use as well as the general location. The data submitted indicates 2,412 daily people trips to the site of which 1,118 (46%) are anticipated to be pedestrian, 967 (40%) driven, 47 (2%) by public transport, 43 (2%) by cycle. The remaining 237 trips (10%) would be as vehicle passengers. During peak hours it is anticipated there would be 77 vehicle movement in the morning and 68 movements in the afternoon peak hours. Comments are made regarding passer-by trips and transferred trips rather than all journeys being new ones. In this instance it is felt that trips would be transferred in part from Tesco. With the combined impact of the pass-by, transferred, diverted and new trips associated with the development on the Jobswell Road/Monument Hill junction the Statement comments that the development would have no significant impact on the volume of traffic using the junction. The new traffic is said to be balanced against the removal of traffic by those who would have otherwise travelled elsewhere.

Additional information was requested in relation to traffic and amendments to the parking layout. An addendum to the Transport Assessment was submitted and the layout of the site amended. It is estimated that the development will attract 77 vehicle movements during the am peak hour and 68 movements during the pm peak hour. Further details of the possible in combination traffic generation, were the care home to re-open were included. The TS addendum states comments that the Tawelan Care Home has the capacity to accommodate 45 residents and based on TRICS trip rate data it is estimated that this would generate 5 to 6 peak hour vehicle movements only. Even assuming that all of this traffic passes through the signal controlled junction this traffic will have no material impact on its operation. WG requested a sensitivity test. To ensure that the sensitivity test is doubly robust it has been assumed that all of the new traffic attracted by the development travels through the signal controlled junction and that no traffic travels to/from the north along Jobs Well Road or east along Ash Grove. This scenario results in 62 to 70 additional peak hour movements through the junction compared to the scenario where only 10% of the development's traffic is 'new'. The analysis provided concludes that under the predicted conditions the Jobs Well Road junction operates within capacity. Queues and delays are within normal levels and can be accommodated within the existing network without impacting upon the performance of the junction. Under the sensitivity test conditions the junction continues to operate within capacity.

Swept path analysis was provided to show vehicle turning movement in the car park area. Again looking at the potential in combination impacts were the care home to re-open the TS addendum states the proposed access is considered to be of suitable dimensions to accommodate the likely volume and type of traffic that will be generated by the proposed development. Whilst the care home that shares this access is currently unoccupied, were it to return to use it is considered that traffic movements associated with the care home and retail areas are compatible and that the proposed access arrangement poses no significant hazard in terms of conflict between traffic accessing the two areas. It is suggested that a delivery management plan form part of a planning condition if the application is approved.

Noise Impact Assessment

This looked at the impacts of noise from the proposed plant required as part of the development. An amended assessment provided clarification on certain aspects, including the inclusion of the possible re-use of the care home. The residential property on Jobs Well Road is located between 24m and 26m from the plant area Job Wells Road. The assessment found that no mitigation was required. The residential care home adjacent to the site is located between 25 m and 30 m from the plant area facing Jobs Well Road

Air Quality Assessment

The report looked at the construction phase of the development and the impact significance of the construction phase is not considered to be significant based on the implementation of the mitigation measures detailed in the assessment.

In relation of the operational phase of the development reference is made to traffic generation. The assessment states that it predicted no exceedances of the AQO road traffic exhaust emissions.

Drainage

The proposal indicates that foul drainage would connect to the main sewer system. For surface water drainage soakaways are proposed for the main part of the site and an Aco Drain across the entrance to control run-off.

Retail Provision Assessment

Although the size of the development falls below the national threshold where a retail impact assessment would be mandatory (2500sqm+) as a result of pre-application discussions a report looking at retail provision was submitted with the application. The assessment has used data from Carmarthenshire County Council's 'Retail Study Update', published in September 2015 and prepared by 'Nathaniel Lichfield and Partners.

Reference is made to various national policies/guidance such as Planning Policy Wales TAN4 and TAN23 and the general economic climate is also discussed.

The amount of existing residential areas and the allocated site at Carmarthen West is referred to when looking at the current level of provision. In relation to local provision they refer to Sycamore Stores which is located approximately 260m from the site. The assessment comments that due to *"its size, is unlikely to meet all 'day-to-day' retail needs of the locality, resulting in residents having to satisfy such needs by trips further afield"*. The Tesco store is highlighted however the assessment considers it being *"beyond what would*

be considered to be walking distance of most of the new and indeed existing residential units referred to above and so does not represent either a sustainable or self-reliant means of serving a localised retail need as defined by both national and local planning policy”.

There is also a small shop associated a petrol station on Old St Clears Road which is approximately 325m away while the Spar in Johnstown is in the region of 850m from the site.

A sequential approach to site selection was then considered. The report states that *“a key factor has been what is considered to be ‘walking distance’, as any retail offer that was not within such distance from the residential area it is to serve would be accessed by motorised means and so would place it on par with larger and more comprehensive retail offers. As has been detailed previously, the application proposal has been designed to serve a localised need and not represent a form of use that could be found further away in a larger centre”.*

The search used a walking distance of 800m which is referenced in Manual for Street and considered site in terms of “suitability” and “availability”. Only 1 property was identified as being marketed at the time of the assessment. Due to the size (75sqm) it was not considered that the site was a suitable alternative. The assessment also refers to *“the site under similar national and local retail planning policy considerations as to that of the application site”.* The site was also only available to rent and required works to be undertaken to reach their requirement standard.

The impact on Carmarthen Town Centre was also looked at. The assessment comments that *“much of the existing residential population around the application site – including those relating to the University – lie at a location that is beyond walking distance from the existing Town Centre boundary and so it is fair to conclude are currently satisfying their day-to-day retail requirements elsewhere”.* The assessment concludes that there would not be any significant impact on the town centre.

PLANNING POLICY

Policy SP1 Sustainable Places and Spaces

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

Policy SP9 Transportation.

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

Policy GP1 Sustainability and High Quality Design.

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

Policy TR4 Cycling and Walking

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

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

Policy SP14 Protection and Enhancement of the Natural Environment

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

Policy EP3 Sustainable Drainage

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

Policy TR3 Highways in Developments - Design Considerations

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

It goes on to state that proposals which do not generate unacceptable levels of traffic on the surrounding road network and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

SP17 Infrastructure

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

Policy GP2 Development Limits

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

Policy GP4 Infrastructure and New Development

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

Policy RT1 Retail Hierarchy

This states that proposals will be considered in accordance with the following retail hierarchy. Regard will be had to a settlement's position within the hierarchy when considering retail proposals (including new, change of use, or redevelopment). The notes for this policy state proposals will be expected to reflect the settlements' position with larger centres generally more likely to be able to support retail growth.

Policy RT8 Local Shops and Facilities

This policy states that proposals which would result in the loss of a local shop or service outside of the identified Growth Areas and Service Centres will only be permitted where:

- a. There is another shop or service of a similar compatible use available for customers within:
 - (i) a convenient walking distance; or,
 - (ii) where applicable, the Sustainable Community.
- b. Its loss would not be detrimental to the social and economic fabric of the community.

In the absence of an alternative provision, proposals resulting in the loss of the local shop or service will only be permitted if it can be demonstrated to the Council's satisfaction that all reasonable attempts have been made to market the business for sale or let over a 12 month period and have failed.

It refers to location outside of growth areas or service areas however there is no equivalent policy for growth areas such as Carmarthen.

Policy SP8 Retail

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

The notes for this policy comment that sustainable planning objectives in respect of shopping provision and town-centres generally focus on ensuring the availability of local outlets. These provide essential goods and services which are readily accessible to residents, preferably by a choice of means of transport, whilst also providing the opportunity to access a wide range of other, non-essential goods and services within reasonable distances.

This approach recognises the general pattern of provision in a traditional hierarchy of centres ranging from the small village shop, post office and public house serving essential local needs to the larger centres and providing a greater choice over a wider product range. The larger centres are the location for related activities in the leisure and entertainment sphere including cinemas and restaurants etc and for commercial office uses including solicitors, accountants and estate agents etc.

In general, local provision represents goods and services required on a day-to-day basis (convenience items) and for which residents may make short journeys frequently, whilst the larger centres not only provide such facilities but also more specialised items (comparison goods) sought less frequently and for which shoppers are prepared to travel further.

Traditionally shopping provision has evolved in a hierarchy of centres with overlapping catchments reflecting their size and importance.

As well as LDP policy there are a number of areas of national policy and guidance which would be relevant to the proposal.

Technical Advice Note 4 (Retail and Commercial Development) states that one justification for retail development is where it would “*address locally defined deficiencies and alleviates a lack of convenience provision in a disadvantaged area. This relates to the ability of all communities and disadvantaged areas in particular to access the goods and services which they need on a day to day basis. Current provision may not meet these requirements resulting in expensive, unnecessary trips further afield. Local provision to meet this need would therefore be a positive step for these communities. Localised deficiencies may also arise when new residential development has recently been constructed*” (6.7).

Other sections of consideration include:

“8.2 - Retail applications of 2,500 sq metres or more gross floorspace that are proposed on the edge of or outside retail and commercial centres should be supported by a retail impact assessment provided by the developer. Local planning authorities should undertake impact assessments to evidence a site identified in a development plan to meet a need of 2,500 sq metres or more. Smaller retail planning applications or site allocations may also be assessed where local planning authorities believe it will have a significant impact on a retail and commercial centre. Requests for retail impact assessments by local planning authorities on smaller developments should be proportionate to potential impacts”.

“8.3 - In addition to the needs and sequential tests, planning applications for retail developments on the edge of or outside a retail or commercial centre that are not in accordance with the development plan should be assessed against a range of impact criteria, for example:

- *Impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area.*
- *Impact of the proposal on centre vitality and viability, including local consumer choice and range and quality of the comparison and convenience retail offer.*
- *Consideration of the cumulative effects of the development proposal in relation to any outstanding planning permissions.*
- *The impact of the proposal on allocated sites outside centres being developed in accordance with the development plan.*
- *Impact of the proposal on in centre trade and turnover in the centre and other centres in the wider area, taking account of current and future consumer expenditure capacity in the catchment area.*
- *Assessment of the proportion of customers using the development traveling by different modes of transport.*
- *Impact on travel patterns over the catchment area.*

- *Any significant environmental impacts”.*

In relation to Planning Policy Wales (PPW) Chapter 10 relates to Retail and Commercial Development. The following is of relevance to this proposal:-

“10.2.3 - Development plans should establish a hierarchy of retail and commercial centres using locally defined definitions; identify those which fulfil specialist functions and consider future roles and opportunities. This should be informed by evidence which underpins how each centre has been defined in the hierarchy”.

“10.2.8 - Individual small shops and businesses, such as convenience stores and public houses, which are not part of established retail and commercial centres, can play an important economic and social role, particularly in rural areas and in urban areas with limited local provision, and their loss can be damaging to a local community. The role of these businesses should be taken into account in preparing development plan policies and in development management decision making. The policies for diversification of the local economy set out in section 4.6 and Chapter 7 will also be an important consideration”.

Chapter 7 of Planning Policy Wales applies and was revised to strengthen the emphasis given to economic considerations and also clarifies economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. It is clear from this statement that the Welsh Government regards tourism as major contributor to the Welsh economy.

It stresses the need for local planning authorities to give increasing weight to job creation, PPW states in Chapter 7:

“7. 6.1 - Local planning authorities should adopt a positive and constructive approach to applications for economic development. In determining applications for economic land uses authorities should take account of the likely economic benefits of the development based on robust evidence. In assessing these benefits, key factors include:

- *the numbers and types of jobs expected to be created or retained on the site;*
- *whether and how far the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing employment opportunities or upgrading the environment;*
- *a consideration of the contribution to wider spatial strategies, for example for the growth or regeneration of certain areas.”*

Technical Advice Note 23 (Economic Development) is a further consideration.

“Where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be necessary. There will of course be occasions when social and environmental considerations will outweigh economic benefit. The decision in each case will depend on the specific circumstances and the planning authority’s priorities” (2.1.2)

The TAN requires local planning authorities to assess the economic benefit associated with allocating sites and determining planning applications for economic development. Where a planning authority is considering a site allocation or planning permission that could cause harm to social and environmental objectives the TAN proposes an approach where three questions that should be asked -

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

in order to help balance the economic, social and environmental issues.

THIRD PARTY REPRESENTATIONS

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

Highways Considerations

A number of concerns/objections were raised including existing and proposed parking issues, insufficient parking on site, on street parking leading to highway safety concerns, highways safety issues from increased traffic on pedestrians and other road users, level of traffic generation, future traffic from West Carmarthen and highlighting existing traffic issues. In relation to traffic generation and issues with the capacity of the road network the junction between Jobswell Road and Old St Clears Road was of particular concern. Insufficient space for vehicles, particularly larger vehicles, to manoeuvre within the site was another concerns put forward. The information submitted by the applicant was also queried and considered to be inaccurate. Insufficient turning area was also raised.

Questions over previous housing applications in the area and warnings of the traffic generation this would cause has been raised. Each application must be assessed on its own merits. This report looks at the implications of this proposal in line with relevant planning policy and material considerations.

The Transport Assessment submitted with the application and the report refers to various statements/conclusions that it made. The site is located in a largely residential area. On that basis it is likely that a large number of the journeys/visits to the site would be on foot or would have otherwise been made to existing facilities further afield. As such the proposal could reduce the number or length of car journeys undertaken to satisfy the current need/demand. The Local Member (Cllr Speake) comments that he feels the nearby Tesco store is used by local residents and that the vast majority drive to that store. The site is located close to public transport links with bus stops near and the site can be accessed on foot easily with footways along the boundaries. There is also a new pedestrian access proposed from Jobswell Road at the western end of the site. An addendum to the TS was provided following comments/queries from the Head of Transport and Welsh Government (Transport). These included revising the parking layout and providing further details of how vehicles would manoeuvre within the site. Assessments of the traffic movements and their impact in combination with the activities that could be associated with the former care home, were that to re-open, were also considered.

Reference has been made in a number of objections to existing problems such as parking and traffic generation. The proposal attempts to demonstrate that it would not lead to any

significant impacts on highway safety, provides sufficient parking and it does not give rise to issues in terms of traffic generation and the capacity of the road network. Traffic considerations at the junction at the bottom of Jobswell Road are well documented and previous applications in the area have assessed the capacity of the traffic lights. The TS addendum also looked in greater detail at the possible impacts of the proposal on this junction. It is the impacts of the proposed development which needs to be considered. Existing issues are noted however the proposal cannot be used to rectify any existing issues, only the impacts it may cause.

Welsh Government (Transport) have responded following assessment of the additional information as well as that originally approved. They have no objection to the proposal and do not request the imposition of any conditions. WG responded stating they do not consider that the proposal would have a material impact on the A40 trunk road and have no objection or further comments to make.

The Head of Transport has responded also raising no objection to the proposal, recommending the imposition of conditions relating to several aspects including the scheme. These include the improved access, provision of parking spaces and visibility splays. Reference is also made to a travel plan and delivery management plan which can be covered by planning condition. Comments are also made in relation to several areas that have been raised as a concern by those that have commented on the proposal. Reference is made to the provision of additional details during the application in relation to traffic generation and the capacity of the junction. They also note the level of detail that has been used was over and above what had initially been requested due to the requirements of the Trunk Roads Agency. The following comments were received:

“The TAA submitted presents the results of a more robust scenario than the local we had requested (as a means of addressing comments made by WG/SWTRA on the planning application) and considers all trips generated by the development to be primary trips. The development is forecast to generate 77 and 68 vehicle movements in the AM and PM peaks respectively. In reality only 10% of these trips would be primary trips (new trips) with the remainder already on the surrounding road network.

The junction capacity results presented in the TAA show that the development would have a negligible impact on the Job’s Well Road signals and that the junction would continue to operate with a small amount of spare capacity during the AM and PM peak hours. ”

In relation to the access at the site they comment that *“the proposals seeks use of an improved/widened existing access with new segregated pedestrian footway, from the 20mph statutory speed limited Ash Grove road, that currently serves the care home”*. They also acknowledge that as the existing care home is not included in the application sufficient parking provision has been retained for this were it to re-open. They highlight that a new footway is proposed for pedestrian access off Jobswell Road. Parking provision is in general accordance with the relevant standards. The only exception being provision of a motorcycle space which has not been provided. It is felt that this can be covered by planning condition. Concern had been raised over delivery vehicles using the site. The Head of Transport is satisfied that the layout is sufficient for a 10m long delivery vehicle to reverse within the site. A delivery management plan has been proposed and will be covered by planning condition to deal with the stores vehicles and any other vehicles delivery to the site.

Need, Justification for the Proposed Uses

Objections have referred to the lack of need or justification for the type of development proposed in this location. There was also a query/concern over who the proposed occupants may be. Comments were made over potential re-developments or relocation of existing stores elsewhere in and around Carmarthen also. The location within a residential area was queried and that this was not a suitable location for this type of commercial development. Concern that the site was located in a residential area was also raised.

Possible relocation of other existing stores have been raised however this is speculation and not a consideration of this application. Possible impacts on the vitality and viability of the town centre is a consideration when looking at retail/commercial developments outside of defined town centres. The proposal is for a relatively small scale retail/commercial development. The total floor area of the 3 units is 527sqm. This is below the threshold to require a Retail Impact Assessment as set out in TAN4. However the applicant was advised that a report looking at retail provision and other potential sites be submitted. A report was submitted with the application with details of it referred to above.

Comments have been received from the Forward Planning Manager. He has stated that *“Having considered the proposal there are no in principle policy objections. Whilst the scale of retail activity is noted there is no requirement for the submission of a Retail Impact Assessment, however a Retail Provision Assessment has been submitted which considers the national and local requirements in relation to retail proposals as well as setting out a sequential search as required through policy. Having considered the proposal it is noted that whilst it accords with policy provisions in relation to proposals for small local convenience provision, regard should continue to be had in relation to compatibility with the surrounding area”*.

He also queried if there were any details of proposed operating hours. This matter is addressed later in the discussions on impacts on amenity.

The location being within a residential area is one of the reasons put forward by the applicant to demonstrate that there is a need for such facilities in the area. The site is within a residential area meaning that there would be a high number of potential users within the area. The level of provision in the area is something that the applicant feels is lacking. They have identified a small store in area as the only nearby facility. Objectors have referred to other facilities such as the Spar in Johnstown and Johnstown Post Office. They have also referred to a number of existing A3 uses in the area. Reference is made by both objectors and the applicants to the allocated land at West Carmarthen. It is noted that within the West Carmarthen Development Brief includes an area where there is likely to be commercial district centre. This therefore acknowledges that where there are large areas of residential use there is often a need to provide some facilities in a local level. This would prevent the need for longer journeys for day to day convenience shopping and other needs. Similarly the Spar in Johnstown serves this kind of purpose for properties in that area. The sustainability of such facilities is an important consideration. Linked with the comments above on traffic generation the development has the potential to reduce traffic movements/distances.

Impact on existing businesses have been referred to however competition is not a consideration, unless looking at impacts on the Town Centre. The town centre of Carmarthen is some distance from the site and given the scale of the proposal it is not considered it would bring about any significant impacts on the viability or vitality of the town centre. The Tesco store referred to is not located in the Town Centre as delineated by the

Carmarthenshire Local Development Plan and is approximately 900m from the site. The Town Centre is further from the site, approximately 1.3 km away.

National policy highlights that small shops and businesses, such as convenience stores, can play important economic and social roles in areas with limited local provision. Based on the scale of the proposed development and the general level of provision in the area it is not considered that the application warrants refusal on the basis of issues relating to need, justification or impact on the town centre.

The level of investment the development would bring about has been queried. The proposal is for two A1 units and one A3 unit. The application indicates that in terms of employment there would be 13 full time and 21 part time jobs created by the development. Regardless of the level of employment created it is felt that the proposal complies with the relevant planning policies. However as noted in the Planning Policy Section various planning policies and guidance highlight the importance of economic benefits that development can bring.

Impacts on Amenity

Several objectors have put forward concerns relating to possible impacts from the proposed development of the amenity of nearby residents. This was from increased litter, smells, pollution as well as general noise and disturbance. The Public Protection Division requested a Noise Impact Assessment and one was subsequently submitted looking at noise from the proposed plant area of the development. Following this being examined by the Public Protection Division they have not raised any objection to the proposal. They have recommended a number of conditions in order to protect amenity levels at nearby properties. These conditions make reference to the noise from the development not exceeding existing background levels. Further clarification was sought over the possible impact on the care home occupants if it were to re-open as part of the site, including the care home building is not included in this application. Additional information was provided in the amended noise assessment and this found no significant impacts and did not identify the need for any mitigation. The plant area is some 25-30m from the care home. While the car park area is closer than that, comments are made in relation to opening hours and the care home does have roads and residential areas adjacent to it where there would already be some element of disturbance. Issues relating to anti-social behaviour and impacts from the lighting at the site have also been raised. Reference has been made to the Human Rights Act.

There are further conditions limiting the opening hours of the units, with stricter controls over the proposed A3 unit. The application suggests an opening time of 6am for the A1 units. However it is felt that for the A1 units the limits are 7am-11pm opening with the A3 unit being 8am-10pm. Timing of deliveries to the units is also restricted with no deliveries permitted between 11pm and 7am. No deliveries are permitted on Sundays, Bank or Public Holidays. It is considered that with these restrictions noise/disturbance from the site would not be of a significance to warrant refusal of the application. Non-compliance with these conditions has been raised. If they are not complied with then the Authority would have powers to investigate and enforce against any breaches.

Possible disturbance and pollution from traffic could be another source of impact on amenity. Discussions above have referred to the potential for the development to reduce traffic movements/distances in the area rather than increase them. There will be vehicles using the site and on-site parking is provided. The Head of Transport has not raised any concern with the parking provision and therefore it is suitable. Any parking and associated coming

and going of vehicles would be mainly within the car park. Limiting opening hours also restricts the times that movement would occur.

Smells and litter were also referred to. The proposal is for 2 small retail units and one A3 use. A plant area is shown on the western end of the site for the larger unit which is proposed to be fenced off. This would reduce any smells as well as noise. No other extraction facilities are shown for the other units. If further units are required these would need a separate planning permission and would be assessed at that time. No objections have been raised from the Public Protection Division in relation smells or other matters. Existing powers under separate legislation would remain. A storage compound is included adjacent to the plant area and again is fenced off. Clarification was sought from the agent regarding bin storage for the other units and the agent has responded confirming that the bin storage for the smaller units would be internal. The agent has commented that the location was chosen for the larger unit was on the basis of the orientation of the proposed building's elevations, main access points and service arrangements. Alternative areas further to the south east of the current position and along the south eastern elevation of the building, but these were felt to be more prominent, taking into account site and adjoining land levels, as well as adjoining uses. In terms then of the storage requirements of the two smaller units, these will be met within the proposed units themselves, with no external storage facilities being required. While the positioning is not ideal the area will be screened by fencing.

Another area of possible disturbance which is a relevant consideration is in relation to lighting at the site. The proposal shows external lighting on the building itself and in the car park area. One of these lights at the western end of the car park is orientated west, facing across the road towards properties on the opposite side of Jobswell Road. This was subsequently amended so that the light has been positioned to face towards the store rather than towards Jobswell Road. Concern was raised over the impact of the lights during the evening/nights. No objection has been raised by the Public Protection Division. With the alteration of the location of the lighting this should also reduce any impacts.

Comments in relation to anti-social behaviour due to an alcohol licence have been raised. The licencing of the premises is dealt with under separate legislation. This may also impose restrictions on the timing of sales.

Overall while it is acknowledged that there may be some impacts from the development it is not considered that the proposal raises significant concerns in relation to impacts on amenity of a scale to warrant refusal.

Design and Layout

Concerns were raised over the impact of the development on the environment and that it would lead to a loss of green space in a built up area. Concerns over the proposal being an eyesore and impacts on the topography of the site were also raised. The application site forms of the external space associated with the former care home. It is not publically accessible space or recreation land but private land in conjunction with the building. Therefore while the visual appearance would obviously be alerted the application does not involve any loss of public space. Impacts on topography and the character of the area being residential have been raised.

The site is not allocated as a recreational land or as public space. The site is part of the grounds of a private premises. The visual impact of the proposal on the character of the area and the design of the proposal is a consideration. The existing access is to be improved

and therefore there are no new vehicle access points. The land levels are currently sloping and there is a need to level off the site. The proposed works are located on the flatter area of the site with there being a steeper fall near the edge of the site. The car park is located between the proposed and existing buildings in the main and therefore will not be overall prominent. They are screened by boundary treatments and this is discussed further.

The site is located at a higher land level than the adjacent land to the south and west. Therefore the building would be in a visible location. There are alterations to the levels of the land to reduce levels at the proposed building. Therefore this does reduce the prominence of the building. The proposed building is single storey and therefore has a lower ridge line than the existing building on site. It also sits at lower land level than the existing building. As such the views of the building from the lower land levels would have the context of the existing building. The building itself is set in from the edge of the site with sloping grassed boundaries around it. The external materials are also in keeping with the overall character of the area. It is not felt that the design or the scale and massing of the building raises any significant concerns.

A 2.5 m fence is proposed around the refrigeration and store compound areas. These are located on the south western corner of the site and this area is prominent. Currently the boundary treatments are an open timber fence. The proposal however now includes the planting of a new hedgerow running from the access point to the east of the site, along the southern boundary and along the western edge of the site. The application was amended to extend the hedgerow along the whole of the western side of the site, including the land adjacent to the care home up to the northern edge of the former care home boundary. It is felt that this, along with the change in land levels would screen parts of the building and the fenced off ancillary areas.

The Public Protection Division have responded raising no objections to the proposal. They have requested conditions in relation to the opening times and deliveries as well as noise levels. It is felt that with these controls any impacts on amenity are not sufficient to warrant refusal of the application.

Drainage

The proposal would create additional hard surfaces on what is currently a grassed area and involve changes to land levels at the site. Therefore how the development would deal with drainage is a consideration. The Land Drainage Section initially advised a soakaway test should be carried out as the location of the site is within a built up area. It was stated that an alternative option is available that would require works to be undertaken at the adjacent carriageway. They note the applicant has chosen to utilise an Aco Drain across the entrance to control run-off and find this solution acceptable. It appears that there are several options for how drainage could be dealt with at the development. Therefore it is felt that the imposition of a condition requiring full details of any drainage system is appropriate. These details would need to be submitted and agreed by the Local Planning Authority in conjunction with the Authority's Land Drainage Section.

The proposal is to connect the foul water to the public sewer. Welsh Water have not raised any objection to the proposed connection. Reference is made in their response to where the connection point should be and it is felt that this should be dealt with under any agreement the developer/applicant has with Welsh Water rather than a planning condition.

Other Matters

Reference has been made in many objections to a possible new school on Pontcarreg farmland and the impacts this would have on traffic. There is no pending application for any such development. This may relate to possible developments within the West Carmarthen Development Brief site. If this is the possible future development referred to the Development Brief then the brief indicates that this area would be accessed off the new Carmarthen West link road. There is however no application for any school at this location at present.

The Planning Ecologist has not raised any concerns or requested further details/surveys. It is felt that the information provided to date in relation to landscape details are sufficient. The trees on the site are not subject to TPO's. Therefore consent would not be needed to remove them. The proposed hedgerow planting increases the landscape features with a large proportion of the boundary being subject to planting. NRW have also not raised any concerns.

Suggestions for alternative uses were put forward. However a decision needs to be made on the proposal that forms part of this application. Comments were made about the impact of the development on the possible future use of the existing building on site. The existing building is not included in the application site. Therefore the use of the building as a care home would remain and it could potentially re-open or be used for other uses in the same use class. The application has referred to there being a potential application for the conversion of the building to offices. There is no application to date and therefore the submission is based on the potential for the care home to be re-used. As indicated above in relation to noise were the care home to re-open it is not felt any mitigation is required to deal with the plant. It is felt that there sufficient controls via conditions to limit any impacts.

Questions over the proposed occupants of the proposed units and the exact nature of the A3 use have been received. The applicant has indicated that the intended occupant of larger A1 unit would be the Co-operative. However any permission would not be specific to any particular user and the occupant can change without the need for planning permission. In terms of the A3 use class again the permission would relate to the use class rather than any specific occupier.

Further information about what the proposals regarding the future use of the existing building. As stated previously the existing building is not included in the application site. While comments have been made over possible applications there is currently no application for at the existing building.

Having regard to the timing of the application being presented to the planning committee it is merely being presented to the first available planning committee. Members resolved to carry out a site visit. The timing of a visit has also been questioned. The report outlines the relevant issues, including traffic at the site and nearby junctions. Members have resolved to visit the site. It is acknowledged that traffic levels will vary according to the time of day.

The inclusion of third party photographs of traffic in the area have been raised. Photographs were provided however they have not been included. The Council is not able to control the nature and origin of the photographs and, ultimately, the presentation to Members of the Committee is that of the Council with the responsibilities for the nature of the images lying therein. The members have also chosen to carry out a site visit and will be able to view the site and surrounding area at the visit.

CONCLUSION

In conclusion and having regard to prevailing planning policies and material considerations, it is considered the development complies does not give rise to any concerns to a degree which would warrant refusal of the application. It is therefore recommended for approval subject to the conditions below.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents:
 - 1:200 scale Access Arrangements (005A) received on 8 February 2018;
 - 1:100 scale Proposed Layout Plan (CW488/20 Rev N) received on 8 February 2018;
 - 1:200 scale Site Layout Plan (CW/488/22K) received on 8 February 2018;
 - 1:100 scale Proposed Elevations and Site Sections (CW488/21 F) received on 13 December 2017;
 - Transport Assessment – Addendum received on 11 December 2017;
 - LED High Powered Commercial Floodlights received 11 December 2017
 - Noise Impact Assessment received on 6 December 2017;
 - 1:200 scale Proposed Landscaping Scheme (LANDSC/JE/0059R2) received 6 December 2017;
 - 1:500 scale Proposed Site Plan (CW488/23 REV H) received on 16 November 2017;
 - 1:1250 scale Site Location Plan (CW488/24 B) received 16 November 2017;
 - 1:25 scale Typical Surface Water Soakaway Plan received 25 July 2017;
 - Air Quality Assessment received on 21 June 2017;
 - 1:50 scale Proposed Refrigeration Area Details (CR3 REV 01) received on 21 June 2017;
 - Transport Assessment received 21 June 2017;
 - 1:500 scale Tree Survey (TS/JE/0023A) received 30 March 2017.
- 3 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works including future maintenance and management of the scheme for that phase has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as agreed.
- 4 The rating level of the noise emitted from the proposed development shall not exceed the existing background noise level. The noise levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.

Where the background noise levels shall be expressed as LA90 1hr and the ambient noise levels shall be expressed at Laeq 1hr.

- 5 At the written request of the Local Planning Authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to BS 4142: 2014 Methods for rating and assessing industrial and commercial sound to determine whether noise arising from development exceeds the level specified in condition 1 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Condition 4 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in condition 4. The development shall then be undertaken in accordance with the approved details.
- 6 The A1 Class Use premises shall not open for business before 07:00 am or after 23:00 pm of any day
- 7 The A3 Class Use premises shall not open for business before 08:00 am or after 22:00 pm of any day
- 8 No deliveries shall be taken at or dispatched from the site between the hours of 23:00pm through to 07:00am and not at any time on Sundays, Bank or Public Holidays to protect the hours of sleep.
- 9 The demolition and construction works forming part of the development hereby approved shall be carried out in dust mitigation measures included in the Air Quality Assessment received on 21 June 2017.
- 10 Prior to the construction of the building hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the building and boundary treatments shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 11 The approved Detailed Landscape Design Scheme, as defined in the following submitted documents, 1:200 scale Proposed Landscaping Scheme (LANDSC/JE/0059R2) received 6 December 2017 shall be fully implemented in the first available planting and seeding seasons following the commencement of development.

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

- 12 Prior to its use by vehicular traffic, the amended access road shall be laid out and constructed in accordance with the details shown on the 1:200 scale Access Arrangements (005A) received on 8February 2018;

- 13 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 14 Prior to any use of the amended access by vehicular traffic, a visibility splay of 2.4 metres x 33 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway. In particular, there shall be no growth or obstruction to visibility over 0.6m in height above the adjacent carriageway crown within this splay area.
- 15 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.
- 16 Notwithstanding the parking spaces and layout shown on the plans herewith approved prior to the beneficial use of any of the premises hereby approved a plan showing the provision of a further 1 no motorcycle parking space shall be submitted to and approved by the Local Planning Authority. The space shall be provided prior to the beneficial use of any of the premises. Thereafter, they shall all be retained in perpetuity, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 17 Prior to the beneficial use of any part of the development hereby approved a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development, shall be submitted to and agreed in writing by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details at a timescale to be approved in writing by the Local Planning Authority.
- 18 Prior to the beneficial use of any part of the development hereby approved a Delivery Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details at a timescale to be approved in writing by the Local Planning Authority.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission
- 3 To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
- 4-8 To protect amenity levels of adjacent properties and in the interest of visual amenity.
- 9 To ensure that the amenity of local residents/businesses is adequately protected during demolition and construction.
- 10 In the interest of visual amenity.

- 11 To ensure that the development retains, incorporates, and makes provision for the appropriate management of, existing landscape and important local features which contribute to local qualities and distinctiveness.

12-18 In the interest of highway safety.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposed development complies with Policy SP1, SP9, SP8, SP17, SP14, RT1, RT8, TR3, EP3, GP1, TR4, GP2 and GP4 of the adopted Local Development Plan in that the due to the location of the site is located within development limits of Carmarthen. The site is located in a sustainable location in close proximity to public transport and accessible by sustainable methods of transport. The scale and design of the development is considered acceptable. Details of landscape features are proposed which are considered sufficient which would improve the visual appearance of the boundary of the site. It is considered that the proposal does not give rise concerns in relation to highway safety or traffic generation with appropriate standards being provided for access and parking. Subject to conditions it is considered that appropriate surface water drainage can be achieved. The development provides appropriate connectivity and permeability to allow pedestrian access to and from the site. There are no significant concerns regarding the developments impact on ecology. Subject to conditions imposed it is not felt that there are any significant impacts on amenity of residents of existing properties of a scale to warrant refusal of the application. The proposal would not harm the viability or vitality of the town centre.

NOTES

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

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

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

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

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).