

Application No	W/35903
-----------------------	----------------

Application Type	Outline
Proposal & Location	RESIDENTIAL DEVELOPMENT – ALL MATTERS RESERVED AT LAND OFF LLUEST Y BRYN, CARMARTHEN

Applicant(s)	DR ISLWYN THOMAS, OAKDENE FARM, WRINGTON, BRISTOL, BS40 5QU
Agent	HAROLD METCALFE PARTNERSHIP - MR CERI EVANS, 32 SPILMAN STREET, CARMARTHEN, CARMS, SA31 1LQ
Case Officer	Stuart Willis
Ward	Carmarthen North
Date of validation	27/07/2017

CONSULTATIONS

Head of Transport – offers no objection; has recommended the imposition of conditions with any approval.

Carmarthen Town Council – have objected to the application due to the negative impact of the development on the local natural habitat and environment including wildlife, greenery and hedgerows; b) the likely adverse impact of additional heavy traffic in the area resulting in a higher risk to road users, in particular at the junction of Capel Evan Road with Richmond Terrace.

Local Member - County Councillor Peter Hughes Griffiths has commented that he opposes the development for the following reasons:

- **HIGHWAYS.** There is already severe traffic congestion at the only junction from Capel Evan Road to Richmond Terrace. This is the only junction into the town for the following estates – Park Hall, Llys Cae'r Medi, Belevedere Avenue, Ross Avenue, Prosser Close, Llwynmeredydd, Courtlands Park, Parc yr Onnen, Groesffordd Fach, Rhodfa Glyndwr, Trem y Bedol, and Lluet y Bryn.

Also all the traffic that comes through Long Acre One Way Road from Springfield Road and estates above, as well as Wellfield Road and Myrddin Crescent. It also serves as a short cut to avoid travelling through the town centre via Catherine Street for all those travelling towards Priory St and beyond from the Carmarthen West area.

Also, within 20 yards of the Capel Evan/Richmond Terrace junction there is an entrance to Richmond Park Primary School (with a traffic Warden on duty) which holds traffic back in all directions at the busy morning and afternoon time. To add further pressure to this junction is not acceptable. It is a very difficult junction as it is steep and very narrow and difficult to manoeuvre. At no time should more houses be built in areas which adds to use this junction at Richmond Terrace. There is also a traffic problem, because of the narrowness of Capel Evan Road between the junction to Park Hall and Belevdere Avenue – which is a steep hill. Cars have to reverse and again manoeuvre with difficulty. More houses mean more cars, thus causing further difficulties and problems. As the local member I have requested Mr John McEvoy of the Highways Department to attend to the problem.

- **EDUCATION.** A large number of pupils who wish to have Bilingual (Welsh first language education) from these areas attend Ysgol Y Dderwen, the only Welsh medium Primary School in Carmarthen. As a governor of that school I am very much aware that the Education Department of Carmarthenshire County Council has a problem in that Ysgol y Dderwen is oversubscribed by the high demand in Welsh First Language Education. If more homes are provided at this site, and as children will seek education at Ysgol y Dderwen – they will not be accepted – thus creating a legal right failure.

Planning permission does not mean ‘the building of houses’. It means in this case that the services are also provided. In this case, there is a much wider ‘planning issue’ and the Planning Committee must consider such facts and refuse permission.

Councillor Ken Lloyd has declared a prejudicial interest in this application.

Head of Public Protection – has responded in relation to a number of issues.

A condition has been requested in relation to management of dust during construction. A noise management plan was also requested forming a condition.

In relation to Air Quality they comment that Richmond Terrace lies within the Carmarthen Air Quality Management Area (AQMA) and the latest annual nitrogen dioxide result near the junction of with Richmond Terrace was just under the Air Quality Objective at 37.5µg/m³. They identified that as this junction is the only access to the proposed site there is a potential for greater impact on air quality from traffic generated by the development. In order to ascertain the level of impact on the AQMA they requested that an Air Quality Assessment (AQA) be performed that identifies the predicted additional traffic volumes, the impact on the junction and therefore the potential adverse impact on air quality.

Further to the submission of the AQA they have responded again confirming that the assessment has been performed in accordance with the relevant guidance and assumptions as part of the assessment process are pragmatic. The inputs used for the modelling stage of the assessment are appropriate, along with the projected vehicle trips identified for the size of the development.

The AQA concludes that the development will have a negligible impact on air quality within the vicinity and in relation to the Carmarthen Air Quality Management Area, the boundary of which lies about 350m of the proposed development. The Assessment offers mitigation by way of a Travel Plan for the site along with connecting in to local footpaths to enable

active travel. The developer is also advised to consider to the provision of infrastructure to allow installation of electric vehicle charging points in the future.

Welsh Water/Dwr Cymru – has responded stating they have no objection to the proposed development. They request a condition requiring the provision of a scheme for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means.

Land Drainage Section – has commented that the surface water flood maps do not show any flood risk to the proposed development. They ask that the applicant follows the principles laid out in WAG's SUDS Standard for Wales 2016 (WG26162) and follow the hierarchy on dealing with surface water removal. This will mean discounted some aspect of grey water harvesting. Before infiltration will be considered as an appropriate option the applicant will be required to undertake a soakaway test (BRE365) to confirm it's suitability in the local geology. The test should be undertaken at the proposed soakaway locations to give the most accurate results. Due to the gradient of the site the applicant must ensure that the soakaways are not 'perched' above other properties. As this is an outline planning application these requirements can be conditioned.

Head of Leisure – has confirmed that no on site provision is required.

Education Department - has confirmed based on the indicative layout of 29 properties a financial contribution of £45,000 would be required. This is based on the higher contribution yield for primary schools and lower for secondary due to capacity figures.

Natural Resources Wales – has commented that the information submitted in relation to ecology includes an arboricultural condition assessment and not a tree survey as they requested.

A further repose has been received recommending the imposition of a condition with any approval relating to trees.

Housing and Social Care – has responded confirming the ward of Carmarthen Town North is an area of high housing need and could be best met by providing either a mix of 2 bedroom, 4 person houses and 3 bedroom 5 person houses for low cost home ownership or by providing a mix of 2 bedroom, 4 person houses and 4 bedroom, 7 person houses for affordable rent.

Any homes provided for affordable rent must comply with Welsh Government's Development Quality Requirements (DQR). The space standards are shown below:

2 bed: 83 m2

4 bed: 114 m2

All homes provided for low cost home ownership must meet the following minimum space standards:

2 bed between 78 m2 and 83 m2

3 bed between 84 m2 and 94 m2

Public Rights of Way – has responded making reference to public footpath 61/18, which crosses the site. The proposed development will obstruct the definitive line of public footpath 61/18 on its present alignment. The Indicative Site Layout plan acknowledges the existence of footpath 61/18 and suggests re-routing. A public footpath Diversion Order will

be necessary to change the route of the path. Public paths can only be diverted or closed by legal order; the proposed alteration to the alignment of 61/18 will require an application to divert a public footpath under section 257 of the Town and Country Planning Act (1990).

Police Liaison Officer – has commented that Section 5 of the Design and Access Statement does not cover any security issues and there is no reference to Secured by Design. Comments were also made in relation to Plots 15 - 21 being accessed via a private roadway, and a query regarding lighting if this area is not adopted. There was also a query regarding refuse collection.

Dyfed Archaeological Trust – has commented that during the Local Development Plan consultation they recommended that an archaeological condition should be attached to consent, if forthcoming. The site is a relatively large area of undeveloped land and, although there are no heritage assets recorded within the development boundary, there is significant archaeology in the near vicinity that suggests potential for buried archaeological deposits/features to be preserved. This includes prehistoric monuments Penlan Bronze Age ring barrow (PRN 224) and Neolithic/Bronze Age henge (PRN 226) on the higher ground to the north and an Iron Age settlement (PRN 14300), identified from a cropmark, to the northwest. They therefore recommend the imposition of a condition with any approval relating to a written scheme of investigation.

Cadw – have commented that there are no scheduled monuments or registered historic parks and gardens within the vicinity of the proposed development and they therefore have no comments to make on the proposed development.

Neighbours/Public - The application has been publicised by the posting of Site Notices near to the site and in the Local Press. To date 28 responses have been received in this application. The following issues were raised:

- Suitability of the nearby roads in terms of ability to sustain the increase in traffic due to number of additional vehicles, in relation to road widths, poor visibility, residents parking, curvature of the roads, speed limit not adhered to, gradient of the roads, insufficient parking provision and on street parking.
- Highway and pedestrian safety concerns due to narrow pavement, lack of footways in places and the site is also on a school route.
- Reference to existing highways issues in terms of traffic.
- There should be no vehicular access on to Springfield Road.
- Changes to the area and road since the allocation of the site in the LDP.
- Health and Safety Assessments or a Full Risk Assessment for traffic is required.
- Concern in relation to the proximity to proposed properties to existing ones and impacts due to topography of the site.
- Concerns with impacts on amenity including overlooking, noise pollution, overshadowing, quality of life, air pollution and loss of light
- Query how boundary landscape features can be retained and also create privacy with new boundary treatments.
- Disturbance during construction.
- Air quality assessment should be provided prior to the application being determined.
- Cumulative impacts of residential developments in the Carmarthen area affecting the appearance of the area and loss of green areas.
- Use of frosted glass etc not appropriate to deal with issues.
- Layout, scale of properties and density is inappropriate.

- Density of the surrounding area is lower than that proposed.
- Site will result in a loss of open space and should be protected
- Lack of provision of open space on the site or lack of reference to contribution to existing facilities.
- Visual impact of the development due to the site being highly visible.
- Certain areas should be limited to single storey only to be in keeping with the adjacent properties.
- New boundary treatments changing rural character of the area.
- Loss of a rural area of the town/rural walk which provides amenity for local residents leading to negative impacts on the health and well-being of nearby residents.
- Impact of the development on the adjacent Conservation Area.
- Query whether the site is partly within a Conservation Area.
- Damage to the natural environment.
- Abundance of wildlife on the site.
- Wildlife affected by works at the site prior to the ecology report and impacted on the results of the survey.
- Loss of habitat leading to isolation of remaining species.
- Concern over works to the site previously in terms of it being cleared and impacts on flora and fauna.
- Request for new ecological survey to be carried out.
- Those carrying out the ecology survey did not speak to nearby residents.
- Query how trees/hedgerows will be protected if development proceeds.
- Removal and works to trees having already taken place – concern over possible loss in terms of visual amenity and on wildlife.
- NRW have requested a bat survey of the trees.
- Query over protection of the existing trees and impacts from construction works.
- Parts of the site cross land outside the applicant ownership.
- Understand the need for housing query of need for a development of this size, given current development already under construction in the town.
- Impact on local infrastructure would be quite significant including impacts on local schools, doctors surgeries, local hospital, parking etc.
- Impact on Welsh language education in the area due to current limited primary provision.
- Query over whether the public right of way is to be retained and managed.
- The Right of Ways is a “promoted route” and would be lost.
- Development will affect the view and character of the footpath.
- New route between properties would create a narrow path and encourage anti-social behaviour.
- Current water supply not sufficient.
- Issues regarding drainage from sewers and the road at present and would be worsened.
- Lack of capacity in the local sewer network.
- Underground springs on Springfield Road causes damage to the road surface.
- Increase in rubbish collections unworkable.
- Possible unauthorised accesses being created for certain plots.
- Reference to refusal of smaller development due to impact on the character of the area and loss of greenfield area (TMT/02737 and TMT/02738) in 2003. Same reasons apply to this development.
- Contrary to the Human Rights Act in relation to enjoyment of possessions and private/family life.

- Archaeological impacts – further information needed to inform the application.
- Concern that due to the slope of the site and the site will not be suitable for disabled access and comparison with similar areas.
- Inaccuracies within the application details.
- Query over changes to the application since submission.
- Reference to planning permission for 4 dwellings off Capel Evan Road.

RELEVANT PLANNING HISTORY

TMT/02738	Outline planning for 2 houses Outline Refused	09 January 2003
TMT/02737	2 no detached houses Full Refused	09 January 2003
D4/15735	Electricity supply Full Granted	14 April 1988
D4/15463	Electricity supply Full Granted	13 January 1988
D4/11802	Siting of two dwellings Outline Refused	23 July 1984

THE SITE

The application site comprises a field currently under grass with mature trees and hedgerows located to parts of the boundary. The site is located within the development limits of Carmarthen and is allocated for residential development in the Carmarthenshire Local Development Plan. The site covers approximately 1.55ha covering the vast majority of the allocation and the LDP provides an indicative figure of 30 units for the overall site of 1.58ha. The site is located adjacent North Carmarthen Conservation Area which is to the south west of the site.

The site is located towards the northern end of Carmarthen being of irregular shape. The site is steeply sloping and there is a Public Right of Way running along and through the site. To the south of the site is a cul-de-sac known as Lluet y Bryn. This leads to the south to Capel Evan Road on to Picton Terrace. To the north of the site is Springfield Road where the Public Right of Way ends. Properties off Springfield Road border the site to the west. To the east the site borders further residential cul-de-sacs of Courtlands Park and Llwyn Meredydd. The site is steeply sloping with the properties to the south and west being at a lower land level than the application site. There are a mix of properties in the area with there being examples of 2 storey and bungalow properties.

THE PROPOSAL

The application requests outline planning permission for residential development. The application has been amended during the application process however it is now, as it was originally, seeking outline permission with all matters reserved.

The application has provided an indicative layout of 29 properties. The site would be accessed off Lluet y Bryn to the south of the site. A new cul-de-sac leading north and

then turning east is shown. The details provided show a mix of bungalows and 2 storey properties across the site. The properties are shown to be mainly detached with some semi-detached properties also included. Scale parameters of the dwellings have been provided with ridge heights being 5-7m and 6-8m for the bungalows and the 2 storey dwellings being between 8-10m. Indicative cross sections of the site have also been provided and indicative levels. Details have been provided including a tree survey indicating that mature trees and hedgerows would be protected.

Details and surveys relating to ecology have been submitted with the application. An initial Extended Phase 1 Habitat Survey and Preliminary Ecological Appraisal was submitted. This concluded that further information was required including the following:

- It stated that due to the potential habitat suitability for reptiles in some parts of the site (notably slow-worm), and the risk of potentially adverse impacts to reptiles should they occur on site, a further reptile survey should be carried out.
- It also states that any mature trees to be removed or significantly pruned should be assessed for potential bat roost features by a bat licensed ecologist or arborist and investigated/surveyed accordingly prior to removal of such features.

A reptile survey was provided with the application. This found evidence of the site being used by slow-worms stating a maximum count of 35 slow worm, 4 grass snake and 5 common lizard were recorded at the site. It comments that *“The slow worm and common lizard populations are likely to spend their entire life-cycle within the site. Grass snake are likely to use the site for breeding”*. The report goes on to say that *“the total area of the site is 1.5ha, which predominantly comprises semi-improved grassland on north and west-facing elevations. Native hedgerows, piles of cut wood and grass cuttings provide additional habitat features. Habitats on site (and in the adjacent hedgerows) are suitable for foraging, basking, breeding, refuge and hibernation”* and that *“Without mitigation, development of the site risks killing or injuring reptiles present during construction works, and causing the loss of habitat of value to three species of common reptile”*. The following key principles of mitigation were outlined;

- Allocation of a designated reptile habitat area within the site – to be retained and managed for reptiles in the long term and / or
- Selection and enhancement of an off-site reptile relocation site and its protection and management in the long term;
- Capture and translocation of reptiles from within the construction site to the designated receptor site prior to works commencing;
- Post construction monitoring of reptiles population within the receptor site.

During the application additional information was submitted in the form of a “Vegetation Clearance Methodology, Reptile Mitigation Strategy and Constraints Plan”. Key mitigation features are:-

- Clearance of dense/woody vegetation within the site outside of the bird breeding season;
- Installation of reptile barrier fencing around the site;
- A programme of trapping and relocation of reptiles from within the site and site boundaries
- Vegetation clearance within the site carried out using methods which minimize risk of harm to reptiles, and which facilitate their capture during the trapping programme;

- Habitat enhancement of a suitable 'receptor site' to which the captured reptiles shall be taken and released (located at the National Botanic Gardens, Carmarthenshire).
- Ongoing management of the 'receptor site' for reptile conservation, and monitoring of the relocated reptile population over 2 years.

Due to the scale of the proposal it was a necessary to carry out a pre-application consultation. A report outlining the consultation and the responses received have been submitted with the application.

PLANNING POLICY

Policy SP1 Sustainable Places and Spaces

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

Policy SP9 Transportation.

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

Policy SP6 Affordable Housing

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

Policy GP1 Sustainability and High Quality Design.

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

Policy H1 Housing Allocations

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

Policy TR4 Cycling and Walking

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

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

Policy SP5 Housing

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

Policy SP14 Protection and Enhancement of the Natural Environment

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

Policy EP3 Sustainable Drainage

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

Policy REC2 Open Space Provision and New Developments

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

Policy TR3 Highways in Developments - Design Considerations

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

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

SP17 Infrastructure

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

Policy GP2 Development Limits

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

Policy GP3 Planning Obligations

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

Policy GP4 Infrastructure and New Development

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

Policy SP9 Transportation

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

SP6 Affordable Housing

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

SP13 Protection and Enhancement of the Built and Historic Environment

This policy states that development proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets (including listed buildings, conservation areas and their setting, scheduled ancient monuments and features/sites of historical and cultural importance), and, where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

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

SP14 Protection and Enhancement of the Natural Environment

The policy states that 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 various designated sites and assets.

Policy AH1 Affordable Housing

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

On Site Contributions

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

SP18 The Welsh Language

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

EQ1 Protection of Buildings, Landscapes and Features of Historic Importance

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

EQ4 Biodiversity

The policy states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that:

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

EQ5 Corridors, Networks and Features of Distinctiveness

The policy states that proposals for development which would not adversely affect those features which contribute local distinctiveness/qualities of the County, and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity will be permitted.

Proposals which include provision for the retention and appropriate management of such features will be supported (provided they conform to the policies and proposals of this Plan).

NEIGHBOUR/PUBLIC REPRESENTATIONS

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

Highways Impacts

A variety of highways related issues have been raised. These have included the following matters:

- Suitability of the nearby roads in terms of ability to sustain the increase in traffic due to number of additional vehicles, in relation to road widths, poor visibility, residents parking, curvature of the roads, speed limit not adhered to, gradient of the roads, insufficient parking provision and on street parking.
- Highway and pedestrian safety concerns due to narrow pavement, lack of footways in places and the site is also on a school route.
- Reference to existing highways issues in terms of traffic.
- There should be no vehicular access on to Springfield Road.
- Changes to the area and road since the allocation of the site in the LDP.
- Health and Safety Assessments or a Full Risk Assessment for traffic is required.

The layout and access of the site are not to be agreed as part of the application. Therefore the internal arrangements and access to the site are not to be confirmed. The indicative layout of the site provided indicates that the access would be off Llest y Bryn to the south. Internally there is a single cul-de-sac road. Access from the south of the site would appear to be the most likely access point given the layout of surrounding roads. A cul-de-sac layout is typical of the surrounding area with the indicative layout being an extension of the existing built form.

Reference is made to a number of existing issues including parking, footways, road capacity and width. The Head of Transport has not raised any objections to the proposal. A number of conditions have been recommended with any approval. He has not requested any further information. Conditions refer to footways being provided within the site. They also request conditions to provide two tactile crossing points. These are to link both footways adjacent to the Llest-y-Bryn road near its junction with Capel Evan road and

also connecting both footways adjacent to Capel Evan Road, north of its junction with Belvedere Avenue. Therefore there will be improvements to the linkages to the wider area. The application is in outline form and the site shares a boundary with Lluest y Bryn and Springfield Road. Given the layout of the road network and lack of pedestrian footways it is not felt that access on to Springfield Road would be appropriate. This would also lead to more significant works to the boundary landscape features.

Amenity Impacts

A number of objections also related to impacts on amenity. The topography of the site and orientation of existing and proposed properties were considered to cause concerns. These related to impacts on amenity including overlooking, noise pollution, overshadowing, quality of life, air pollution and loss of light. Certain areas should be limited to single storey only to be in keeping with the adjacent properties in the opinion of objectors. The application is in outline form and all matters are reserved. Therefore while a layout has been provided, as required by legislation, the layout is merely indicative. The layout is not to be agreed as part of the application and any reserved matters submission would need to provide full details of the scheme. Due to the topography of the site, development of it will give rise to certain challenges with layout, design, orientation and location of fenestration. Alterations to land levels will also not be confirmed as part of this application but in any subsequent reserved matters submissions. There would be an opportunity for consultation and assessment of the reserved matters by members of the public as part of the reserved matters. If at that stage the final design gave rise to concerns over the proposal there would be the opportunity to amend the scheme, impose conditions, or if they were concerns that could not be overcome. Similarly queries relating to the boundary treatments are not to be assessed as part of this outline application. Scale parameters have been submitted however as the layout is not to be confirmed at this stage the location and orientation of the dwellings are not to be agreed. Therefore the layout and scale parameters are not to be confirmed at this stage.

Certain areas should be limited to single storey only to be in keeping with the adjacent properties

In relation to air quality and impacts from this development an assessment was requested by the Public Protection Division. One was subsequently submitted with a further response raising no objection to the proposal and confirming they were satisfied with the assessment submitted.

Disturbance during construction was raised as a concern. Generally this matter is dealt with under separate legislation and there are separate powers to deal with this. If it was considered necessary a condition could be imposed limiting the hours of construction.

Design, Layout, Character Impacts

Several issues were raised by objectors in relation to the layout, design and impact of the development on the character of the area.

Objectors raised the cumulative impacts of residential developments in the Carmarthen area affecting the appearance of the area and loss of green areas. The site is currently a field and the site is visible in the wider landscape however it is allocated for residential development in the LDP. There will clearly be an impact on the character and appearance of the site due to the development. The suitability of this and any other allocation for

development would have been considered as part of the LDP process. There is a need to provide housing and the site is located amongst other residential streets within the development limits of Carmarthen.

The layout, scale of properties and density is deemed inappropriate by some objectors. As has previously been mentioned the layout and scale are not to be agreed at this stage. The LDP does refer to an indicative figure of 30 properties. The indicative layout shows 30 units and based on the surrounding area the density of development is not considered to be out of character with the area.

There are concerns that the site will result in a loss of open space and should be protected and that there is a lack of provision of open space on the site or lack of reference to contribution to existing facilities. The Head of Leisure has confirmed that onsite provision is not required as there are sufficient facilities in the area. The site itself is not a designated open space. While it is visible from a public right of way it is private land and other than the path is not accessible to members of the public.

The new boundary treatments changing rural character of the area was raised. Again the final details of the development are not to be agreed at this stage however it is acknowledged that the character and appearance will change with the development.

Loss of a rural area of the town/rural walk which provides amenity for local residents leading to negative impacts on the health and well-being of nearby residents.

The impact of the development on the adjacent Conservation Area and a query as to whether the site is partly within a Conservation Area were referred to. The allocation is partly within the North Carmarthen Conservation Area. However that small element of the allocation is not included in the application site. The site is adjacent to a Conservation Area and therefore the impact on the setting of the Conservation Area is a consideration. Again the final details of the scheme are not included as this is an outline application. Also the allocation of the site would have considered that there would clearly be a change to the site with development on it.

Ecological and Landscape Impacts

Several objections related to the impacts of the proposal on landscape features and ecological considerations. A number of objections referred to species that they perceived were or are on the site. It is felt by objectors that the survey that has been carried out was not sufficient or accurate. There were also questions over work that had been carried out at the site prior to the survey been done. Overall it is considered by many objectors that the proposal will have a negative impact on ecology and that these impacts have not been appropriately addressed. The site was also seen as an ecology corridor whereby losing this area would impact on species outside. No concerns over the initial ecological survey have been raised by either the Planning Ecologist of Natural Resource Wales (NRW). NRW initially requested further details be provided in relation to any mature trees or hedgerows to be removed to assess whether they are suitable for bats where features are to be affected. However there is no indication that any such features will be removed or affected. Details within the application suggest they are not and that they are located on the boundary of the site. Therefore subject to an appropriate design taking these features in to consideration they would not be affected. NRW have subsequently responded with no objection requesting the imposition of a condition relating to a tree assessment. As such it is not considered that the additional details are necessary. The protection of trees during

construction was queried. Conditions can be imposed regarding the protection of landscape features and detailed landscape scheme shall form part of the reserved matters submission were the application to be approved.

It was raised that those carrying out the ecology survey did not speak to nearby residents however this is not a requirement.

The ecology details provided have indicated that there are certain species on the site. The Extended Phase 1 Habitat Survey and Preliminary Ecological Appraisal concluded that further information was required due to the potential habitat suitability for reptiles in some parts of the site (notably slow-worm), and the risk of potentially adverse impacts to reptiles should they occur on site, a further reptile survey should be carried out. It also states that any mature trees to be removed or significantly pruned should be assessed for potential bat roost features by a bat licensed ecologist or arborist and investigated/surveyed accordingly prior to removal of such features. As noted above there is no indication from the details provided to date that any such features would be affected.

A reptile survey was carried out and provided as part of the application. This found evidence of the site being used by slow-worms stating a maximum count of 35 slow worm, 4 grass snake and 5 common lizard were recorded at the site. It comments that *“The slow worm and common lizard populations are likely to spend their entire life-cycle within the site. Grass snake are likely to use the site for breeding”*. The report goes on to say that *“the total area of the site is 1.5ha, which predominantly comprises semi-improved grassland on north and west-facing elevations. Native hedgerows, piles of cut wood and grass cuttings provide additional habitat features. Habitats on site (and in the adjacent hedgerows) are suitable for foraging, basking, breeding, refuge and hibernation”* and that *“Without mitigation, development of the site risks killing or injuring reptiles present during construction works, and causing the loss of habitat of value to three species of common reptile”*. The following key principles of mitigation were outlined:

- Allocation of a designated reptile habitat area within the site – to be retained and managed for reptiles in the long term and / or
- Selection and enhancement of an off-site reptile relocation site and its protection and management in the long term;
- Capture and translocation of reptiles from within the construction site to the designated receptor site prior to works commencing;
- Post construction monitoring of reptiles population within the receptor site.

During the application the applicant entered in to discussions regarding potential alternative locations for the slow worms. Additional information was submitted in the form of a “Vegetation Clearance Methodology, Reptile Mitigation Strategy and Constraints Plan”. Key mitigation features are:-

- Clearance of dense/woody vegetation within the site outside of the bird breeding season;
- Installation of reptile barrier fencing around the site;
- A programme of trapping and relocation of reptiles from within the site and site boundaries
- Vegetation clearance within the site carried out using methods which minimise risk of harm to reptiles, and which facilitate their capture during the trapping programme;
- Habitat enhancement of a suitable ‘receptor site’ to which the captured reptiles shall be taken and released (located at the National Botanic Gardens, Carmarthenshire).

- Ongoing management of the 'receptor site' for reptile conservation, and monitoring of the relocated reptile population over 2 years.

The proposal therefore addresses the ecological impacts that have been raised. Other information would be provided as part of the reserved matters submission were this outline application to be approved. The Authority's Planning Ecologist has responded to the proposal, including the mitigation now suggested, raising no objection to the application. He has recommended the imposition of conditions relating to compliance with the mitigation strategy, that the vegetation clearance and reptile mitigation strategy be undertaken under the supervision of a suitably qualified ecologist and that a Tree and Hedgerow Protection Plan and Arboricultural Method Statement be provided. It is considered that the provision of the tree and hedgerow details are needed as part of the reserved matters as they would be an important consideration of the layout and design of the scheme. As the mitigation includes off site works at the National Botanic Gardens this element will also need to be secured as part of the Section 106 Agreement.

The Authority's Landscape Officer has also raised no concerns but has requested conditions relating to the provision of landscape details.

Public Rights of Way, Access Impacts

Impacts on the Right of Way from the development have been raised. Reference has been made to the route being a "promoted route" and that it would be lost. The setting of the path, being currently considered as a rural path would be altered. There were also queries over the method altering the right of way and what route it would take. Concern over the creation of a narrow path and possible anti-social behaviour from this have been raised.

The site is allocated for residential development in the LDP. Therefore the suitability of the site for this form of development was considered acceptable at the time of the allocation. It was therefore anticipated that there would be development and as a result there will inevitably be changes to the character of the area. The presence of the PROW would have been acknowledged and considered as part of the allocation process. The final layout of the site is not to be considered as part of this application. Therefore the route shown on the layout plan is indicative only. The Police Liaison Officer has highlighted Secure by Design which is something the applicant/developer may wish to consider as part of the final design of scheme if this outline permission is issued. The PROW officer has commented that the proposed development will obstruct the definitive line of public footpath 61/18 on its present alignment. The Indicative Site Layout plan acknowledges the existence of footpath 61/18 and suggests re-routing. He comments that public footpath Diversion Order will be necessary to change the route of the path. Public paths can only be diverted or closed by legal order; the proposed alteration to the alignment of 61/18 will require an application to divert a public footpath under Section 257 of the Town and Country Planning Act (1990). Further information/guidance is also given. If the new road is adopted the affected area of the path would be removed from the Definitive Map as the route would subsequently have higher rights.

Drainage, Flooding, Sewerage Impacts

Issues have been raised over various matters in this regard. This included matters relating to water supply, sewer capacity, existing issues with drainage, flooding and underground springs in the vicinity.

Comments have been received from various consultees concerning these matters. Welsh Water has responded with no objections to the proposal. As the application in an outline application with all matters reserved they request a condition be imposed requiring details of the surface water and foul water drainage scheme. No issues in relation to water supply have been raised by Welsh Water. No issues relating to sewer capacity have been raised. The Authority's Land Drainage Section have also responded and again raise no objection. They comment that surface water flood maps do not show any flood risk to the proposed development. They also refer to the need to provide a suitable drainage system. They refer to the possible need for soakaway test. Due to the gradient of the site the applicant must ensure that the soakaways are not 'perched' above other properties. They are satisfied that these details can be covered by conditions on any approval.

Natural Resources Wales initially requested additional information in relation to trees at the site. Their pre-application consultation response to the applicant stated that they note as the application would be in outline form with all matters reserved that details of how foul drainage would be dealt with are not required. They recommend a condition relating to a tree survey. They state they would wish to be consulted over the method of foul drainage. NRW along with other relevant consultees would be able to be consulted on any reserved matters or discharge of condition if the application were approved.

Reference is made to existing issues in the area however the proposed development cannot be held accountable for these. Any proposed drainage system would need to demonstrate that the development would not have any additional impacts. Reference to underground springs have been referred to in terms of damage to the road. No issues have been raised by the various consultees in relation to these or in relation to existing flooding in the area.

Other Matters

Comment has been made that parts of the site cross land outside the applicant ownership. The application form indicates that the site is within the applicant's ownership and that no other parties have an interest in the land. Land ownership is not a material planning consideration. Any relevant land owners would need to be part of the Section 106 Agreement required.

Objections have queried whether given current development already under construction in the town that this development is needed. The site is allocated for residential development in the LDP. A key purpose of the plan is to ensure that the plan is delivered. The need for the level of housing identified in the LDP would have been assessed as part of the LDP examination. Comments from the Forward Planning Team state *"Although the topography of the site is generally uneven and sloping in parts, the site as a whole is considered to be suitable for residential development and an appropriately designed scheme should be able to cope with the complexities of the topography"*. They also comment that the illustrative layout for the site shows 29 dwellings, is in accordance with the allocation for 30 units. In terms of the allocation of the site that the site was submitted to be included in the Carmarthenshire Unitary Development Plan. The Inspector at the Inquiry concluded that *"on the basis of the detailed characteristics of the site and its surroundings I conclude that the land is suitable for new housing development"*. The reason it was excluded from that plan was that there was sufficient land provision within Carmarthen at that time. However the land was included as part of the Local Development Plan.

The impact on local infrastructure would be quite significant including impacts on local schools, doctors' surgeries, local hospital, parking etc from the development has been raised. As outlined earlier in the report comments have been received in relation affordable housing and education. The recommendation is that any approval be subject to a legal agreement to secure the provision of 30% of the units as affordable dwellings, the provision of a contribution towards education to be shared among local schools. A maintenance and management agreement for any such provision would also be secured as part of the legal agreement. These contributions are subject to possible viability discussions at reserved matters stage if the application is approved and once full details of the scheme are known. In relation to other facilities such as doctors surgeries there are LDP policies which refer to the need for additional contributions to be sought. It is noted that the development is likely to be in the region of 30 dwellings and therefore any impacts may be limited.

Impact on Welsh language education in the area due to current limited primary provision. Reference is made above to the financial contribution towards education. The purpose of this contribution is to alleviate any additional impacts from the development on local schools. The contribution is to be distributed among the schools where this site is within their catchment.

The increase in refuse collection was considered to be unworkable. The layout of the site is not to be agreed as part of this outline application. The final layout would need to be considered in terms of suitability for refuse vehicles.

Possible unauthorised accesses being created for certain plots has been referred to. If any unauthorised works are carried out then the Authority has the powers to investigate via the Planning Enforcement Team.

Reference to refusals of smaller development due to impact on the character of the area and loss of greenfield area (TMT/02737 and TMT/02738) in 2003 have been made. Objectors felt that the same reasons apply to this development. It is noted that at the time of these applications the land in question was located outside the development limits of Carmarthen. They were therefore considered to be located in the open countryside. Reference is made in the refusal reasons to the impact on the greenfield area and the character of the area. However the site is allocated in the Local Development Plan for residential development. As part of the assessment of the site through the LDP process the suitability of the site for such development would have been considered. The allocation, indicatively for 30 units suggest that development of this nature and in this region would be suitable subject to detailed consideration. The application in outline and the layout and design of the site, including the final number of properties is not to be agreed at this stage.

Objections felt that the application was contrary to the Human Rights Act in relation to enjoyment of possessions and private/family life. Issues relating to impacts on amenity from various elements of the proposal have been addressed elsewhere in the report. It is not felt that any impacts that can be assessed at this time warrant refusal of the application.

Archaeological impacts were raised and it was felt that further details were needed prior to determination. Dyfed Archaeological Trust have responded to the application and raise no objections. They request a written scheme of investigation be conditioned. No objections have been raised from Cadw in their response.

Concern has been raised that due to the slope of the site and the site will not be suitable for disabled access and comparison with similar areas. The final layout, design and alterations to land levels required for the scheme if not to be agreed at this outline stage. The requirements for compliance with the relevant standards will be something that the applicant or any future developer will need to consider as part of their design.

There have been queries over changes to the application since submission. Additional information has been submitted over the course of the application. The application was amended to indicate that access and layout were to be considered however the application has been reverted back to outline with all matters reserved.

Reference to planning permission for 4 dwellings off Capel Evan Road (W/36571) has been made. This application is ongoing at present. Previously a smaller area of land was granted outline planning permission at the site.

CONCLUSION

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

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 2 The permission now granted relates to the land defined by the 1:1250 scale plan received on 27th June 2017.
- 3 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
 - a) the expiration of five years from the date of this outline planning permission;
 - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 4 Development shall not commence until detailed plans of the access; appearance; landscaping; layout; and scale of each building stated in the application, have been submitted, and received the written approval of the Local Planning Authority.
- 5 No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local

planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.

- 6 No development shall commence until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of demolition and construction.
- 7 No development shall commenced until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Management Plan should address the construction phase of the proposed development and will include the noisiest phases arranged in terms of loudness, the duration of the phases and details of mitigation measures to be employed to minimise the noise during construction on the nearby residential site. The plan shall comply with the guidance found in the BS5228 Noise Vibration and Control on Construction and Open Sites.
- 8 No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
- 9 At least 3 months prior to the beneficial occupation of any dwelling on 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 with the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details and at a timescale to be approved in writing by the Local Planning Authority.
- 10 The development shall be carried out in accordance with the Reptile Mitigation Strategy Report (March 2018)
- 11 Any vegetation clearance and the reptile mitigation strategy must be undertaken under the supervision of a suitably qualified ecologist.
- 12 Prior to the determination of any application for reserved matters seeking approval of 'layout', 'landscaping', or 'access'; the following shall be undertaken in compliance with the recommendations of BS5837, and submitted and approved in writing by the Local Planning Authority: -
 - i] Arboricultural Impact Assessment (AIA);
 - ii] Tree Protection Plan (TPP) fully informed by the AIA, which provides details of all protective measures, operations and construction exclusion zones for all trees, large shrubs and hedges identified for retention.

- iii] Arboricultural Method Statement (AMS) fully informed by the AIA, which provides details, as necessary, of construction operations and specific design solutions to be undertaken within the root protection areas of all trees, large shrubs and hedges identified for retention;
 - iv] Arboricultural Monitoring Programme (AMP) which provides details of the monitoring and reporting of the implementation of the TPP and AMS to the Local Planning Authority by a competent arboriculturalist appointed by the developer.
- 13 The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 10m metres from the edge of the carriageway.
- 14 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole estate road frontage within 2.0 metres of the near edge of the carriageway.
- 15 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 16 Prior to the commencement of any part of the development herewith approved, two tactile crossing points shall be provided (a) linking both footways adjacent to the Lliest-y-Bryn road near its junction with Capel Evan road (b) connecting both footways adjacent to Capel Evan Road, north of its junction with Belvedere Avenue. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority Highways.
- 17 There shall be no vehicular access to the site from Springfield Road.
- 18 Any reserved matters application for 'landscaping' or 'layout', shall include an appropriate and comprehensive Detailed Landscape Design Scheme, to be submitted and approved in writing by the Local Planning Authority. The scheme shall deliver detailed design proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions; and shall be in compliance with relevant guidance as provided by the Local Planning Authority.
- 19 The Detailed Landscape Design Scheme as submitted to discharge condition 18 shall be fully implemented in the first available planting and seeding seasons following 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.

- 20 No development or site clearance shall take place until appropriate and comprehensive landscape maintenance and management information has been submitted to and approved in writing by the Local Planning Authority. The information shall include the following:

- Landscape Maintenance and Management Responsibility Plan;
- Plans, specifications and schedules to cover establishment and long term proposals for landscape maintenance and management.

The scheme shall effectively integrate appropriate site specific landscape, ecological and biodiversity management and maintenance proposals; and shall be in compliance with relevant guidance as provided by the Local Planning Authority.

All landscape maintenance and management shall be fully implemented as approved.

- 21 Prior to the determination of any application for reserved matters seeking approval of 'layout', 'landscaping' or 'access'; no trees with trunk/stem diameter exceeding 100 mm, measured at a height of 1.5 metres above ground level, which are located within or on the site boundary shall be cut down, up-rooted, destroyed, topped, lopped or pruned without the prior written approval of the Local Planning Authority. Following such approval or determination of an application for the hereby specified reserved matters, all approved works are to be carried out in accordance with BS3998.
- 22 All site operations shall be undertaken in compliance with the approved arboricultural information, as submitted to discharge condition 12. Any construction operations and/or access within the construction exclusion zone defined within the Tree Protection Plan (TPP) shall be limited to those undertaken in compliance with the recommendations of BS5837. The approved TPP shall be fully implemented, prior to the commencement of any works associated with the development; and thereafter shall be maintained in its entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.
- 23 Prior to the commencement of any works associated with the development, an earthworks plan, including cross sectional and levels information shall be submitted to and approved in writing by the Local Planning Authority. The submitted information shall include sufficient detail to enable assessment of proposed levels in relation to existing trees and other landscape elements identified for retention. Development shall be carried out in accordance with the approved plans.
- 24 Prior to the determination of any application for reserved matters seeking approval of 'layout', 'landscaping', or 'access' a tree survey is undertaken in accordance with 'Bat Surveys for Professional Ecologists; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016, and is submitted to and approved in writing by the Local Planning Authority for any trees affected by the proposed development.

REASONS

- 1 This application is in outline.
- 2 For the avoidance of doubt.
- 3 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 4 In the interest of visual amenity.
- 5 To protect historic environment interests whilst enabling development.
- 6-7 To ensure that the amenity of local residents/businesses is adequately protected during demolition/construction.
- 8 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 9 In order to mitigate against impacts in terms of air quality.
- 10-12 To ensure appropriate protection or and compensation for impacts upon species and their habitats.
- 13-17 In the interest of highway safety.
- 12,
- 18-23 To ensure that the development, respects and reflects, and protects and enhances, the landscape; local character and distinctiveness; and the biodiversity value of the area and, integrates nature conservation and retains, incorporates, and makes provision for the appropriate management of, existing landscape and important local features which contribute to local qualities and distinctiveness.
- 24 To ensure appropriate protection of features and habitats.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposed development complies with Policy H1, AH1, GP1, GP2, GP3, GP4, SP17, TR3, SP9, SP6, SP13, SP14, SP5, TR4, EP3, EQ1, EQ4, EQ5, SP18, REC2 and SP1 of the adopted Local Development Plan in that the proposal provides a contribution towards affordable housing and education in line with the policy requirements (subject to viability). Their affordability is to be secure through a legal agreement and there is a need for the housing this type in the area has been identified. Subject to conditions imposed and further details being provided at the reserved matters stage it is not considered there are significant impacts to highway safety or traffic generation. Further measures for pedestrian

linkages are secured through conditions. Subject to conditions it is considered that appropriate surface water drainage can be achieved and further details will be required as part of any reserved matters submission. The site is not located in a flood zone and the proposal would not lead to concerns over the public sewer capacity. Further details at reserved matters stage would confirm the methods of drainage. The development provides appropriate connectivity and permeability to allow easy pedestrian access to and from the site and surrounding facilities and the reserved matters scheme would need to provide details of impacts on the route of the Public Right of Way crossing the site. Subject to conditions and a legal agreement there are no significant concerns regarding the developments impact on ecology or landscape features. Further details of landscape features and their protection are covered by conditions. The proposal includes a scheme of mitigation for slow-worms with them being moved to an alternative site. The site consists of land allocated for residential development in the LDP located among other areas of residential development in a sustainable location in a Growth Area as identified in the LDP. Subject to conditions imposed and details to be provided at the reserved matters stage it is felt that impacts on amenity of residents of existing properties can be addressed along with provision of suitable amenity for the proposed dwellings. Subject to the reserved matters submission it is not felt that the principle of development at the site would be harmful to the character of the adjacent Conservation Area.

- It is considered that the proposed development complies with S.72 of the Listed Buildings and Conservation Areas Act which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area. In that the development is not harmful to the character of the adjacent Conservation Area.

NOTES

- 1 The applicant is advised that this planning permission is subject to the applicant/developer first entering in to a Section 106 Agreement for a contribution towards community benefits in relation to:
 - provision of 30% of the units at the site are affordable housing
 - financial contribution towards Education in accordance with the formula given in the Planning Obligations SPG

The agreement will also include securing the provision of:

- A programme of trapping and relocation of reptiles from within the site and site boundaries
 - Habitat enhancement of a suitable 'receptor site' to which the captured reptiles shall be taken and released (located at the National Botanic Gardens, Carmarthenshire).
 - Ongoing management of the 'receptor site' for reptile conservation, and monitoring of the relocated reptile population over 2 years.
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed

variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

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