

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

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

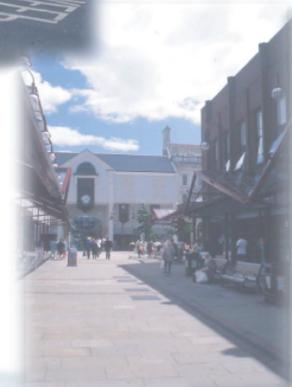
**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 13 RHAGFYR 2018  
ON 13 DECEMBER 2018**

**I'W BENDERFYNU  
FOR DECISION**

***Ardal  
Gorllewin/  
Area West***



**Cyngor Sir Gâr  
Carmarthenshire**  
County Council



**Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.**

**In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>13 DECEMBER 2018</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/37655</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE OF FARM-LAND TO, TWO, GYPSY TRAVELLER PITCHES (WITH DAYROOMS) AT LAND LYING SOUTH OF, BRYNHOWELL, LLANDDOWROR, SA33 4HN

<b>Applicant(s)</b>	MR TONY JONES, PLOT 9 , KINGSMOOR COMMON, KILGETTY, PEMBROKESHIRE, SA68 0YX
<b>Agent</b>	ATRIARC PLANNING - WAYNE REYNOLDS, LLWYNTREHARNE, LLANGYNIN, ST CLEARS, SA33 4LA
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Laugharne Township
<b>Date of validation</b>	09/08/2018

## CONSULTATION

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

**Head of Public Protection** – Has no objection to the proposed development.

**Llanddowror and Llanmiloe Community Council** – Objects to the proposal on the following grounds:-

- a) The land is outside the LDP;
- b) The applicant's site in Kilgetty is being extended;
- c) The Gypsy status of the applicant is questioned;
- d) The site is visible from the A477 and out of character;
- e) The proposal should be looked at as a permanent new dwelling;
- f) The nearest service centre is St Clears;
- g) The second pitch is questioned as the children are still young and are still dependant on the parents. Will this add more pitches in the future?

**Local Member** – County Councillor J Tremlett has not commented to date.

**Natural Resources Wales** – Has no observations.

**Neighbours/Public** – The application has been advertised by six site notices. Eight objections have been received to date raising the following matters:-

- Gypsy status questioned in terms of nomadic lifestyle;
- Green belt/open countryside;
- Agricultural land;
- Exposed and elevated location;
- Visual amenity;
  - impact on site;
  - visible from the A477;
- Local facilities - lack of facilities in vicinity (St Clears is 2.5miles away);
- Highway safety;
  - traffic generation;
  - impact on minor road;
- Precedent for more pitches;
- Are utilities on site?
- The existing site in Kilgetty is being extended;
- No links to local community;
- The site should be for affordable homes;
- Devaluation of property;
- Equality - Human Rights Act applies to settled communities not just travellers;
- Other non-planning related objections.

## **RELEVANT PLANNING HISTORY**

There is no relevant planning history for the site, however it was part of the land assembled for the A477 bypass which was a Welsh Government Trunk Road Scheme.

## **APPRAISAL**

### **THE SITE**

The application site is an irregular shaped small parcel of land approximately 43m wide by a maximum of 25m deep with additional of an access including a passing place within the

applicant's ownership and a passing place on the C3230 shown edged red. The site forms part of a parcel of land which slopes down from the West to the East and lies to the South of the C3230 road which runs between Llanddowror and Tavernspite.

The site forms a small part of a parcel of land bought off the Welsh Government as part of its land disposal after the construction of the A477. The site would have formed part of the operational land used in the construction of the A477 with a large car park/compound situated to the West of the application site and an access down onto the road alignment immediately to the East.

The site has a residential bungalow known as Brynhowell approximately 27m to the North East beyond which is an agricultural complex known as Pentrehowell to the North East. The site is approximately 1.3km from the edge of Llanddowror lying to the East, which is the nearest settlement. The site is however to the North of the A477 accessed via a bridge. The site is approximately 4.4km from St Clears which is the nearest settlement with a range of facilities.

The site is set within what was undulating countryside, however it has the A477 running in a cutting which interrupts the flow of the natural landscape. Given the topography, the site is in an elevated position, however the top of the cutting itself shields direct views from the A477 in the immediate vicinity.

The site has an established hedgerow along the minor road so the proposal would be obscured from direct views.

## **THE PROPOSAL**

The application seeks to station two static caravans/mobile homes with associated day rooms and parking for touring caravans and private vehicles for use by a Gypsy family.

A case has been put forward that units are needed to house a single family of Gypsies currently resident on a formal site in Kilgetty, Pembrokeshire. The family is said to have outgrown their pitch and with a waiting list for new pitches has opted to seek a small private site for family use.

Two day rooms are proposed measuring approximately 8m by 10.5m with a living area. Kitchen, utility and bathroom. Externally the day rooms are proposed to be composite cladding under an interlocking effect roofing system.

An analysis has been provided of both the Pembrokeshire and Carmarthenshire Gypsy and Traveller Accommodation Assessment (GTAA). This shows a lack of pitches on formal sites. The applicant has assessed the availability of Council pitches in both Counties who have a shortage of pitches under both the respective GTAA's.

Access is sought from the C3230 which runs between Llanddowror and Tavernspite. There are existing accesses present from the previous use as an operational compound, however an improved access with radius curbs is proposed to ensure that a safe and fit for purpose access is achieved. A passing place is proposed on the highway which would provide a highway improvement.

## **PLANNING POLICY**

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

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles.

Policy GP1 Sustainability and High Quality Design provides a list of criteria which demonstrates principles of good design to ensure that development is appropriate to the character of the area and would not have a significant impact on third parties.

Policy H7 Gypsy and Traveller Sites provides a criteria based policy on how to determine new or extended sites. They will be allowed provided that the location is “reasonably accessible” to a range of facilities etc., close to a main transport route, not be detrimental to third parties, is serviced and would have no adverse effect on the landscape or historical environment.

Policy TR3 Highways in Developments - Design Considerations, sets out the requirements for development to be situated in a suitable location and incorporate appropriate parking, access and sustainable transport features.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 and TAN12 provides design guidance.

National policy advice relating to gypsy and traveller caravan sites is set out in Welsh Government Circular 005/2018. There are also accompanying documents namely the documents Enabling Gypsies, Roma and Travellers (June 2018) and Managing Gypsy and Traveller Sites in Wales 2015.

## **THIRD PARTY REPRESENTATIONS**

The Gypsy status of the applicant has been questioned in terms of the lack of nomadic lifestyle given the fact that the applicant has lived at the Council site in Kilgetty for 40 years. The Pembrokeshire County Council Gypsy and Traveller Liaison Officer has written a letter of support (Appendix A of the Planning Statement) which confirms that the applicant is part of a known Gypsy family on an established site. It is noted from Circular 005/2018 Paragraph 2 that where a family has health or educational needs, the nomadic lifestyle can be permanently or temporarily suspended without contravening the definition of a Gypsy or Traveller. Paragraph 3 clearly states that “Members of these communities do not necessarily need to demonstrate a continued habit of life to be considered to be Gypsies or Travellers”. In this case, the applicant has four school age children and a pre-school toddler. The children are currently in Stepside Primary School and Greenhill School, Tenby so in order to ensure educational stability, the applicant does not travel around the country but this does not affect the Gypsy status.

The site is in the open countryside outside settlement development limits. It is not defined as greenbelt however the general policies for open countryside apply.

The site is currently agricultural land, however it is noted that the site was operational land when the A477 was being constructed and it is not therefore considered to be of the highest quality for agricultural purposes.

The site is in an open elevated location compared with the A477 and is within the open countryside. The site itself however has a mature hedgerow along the road frontage and is not considered to be prominent in the wider landscape. The A477 runs in a cutting at this point so the site itself is not highly visible.

There are concerns that the nature of the application would result in a site which would be detrimental to visual amenity. This however is not founded on planning grounds and has no weight. It is noted that the applicant has a job as a scaffolder so there need not be business vehicles or activities on the site which could add to the visual impact on the surrounding landscape.

There is concern that there is a lack of local facilities in the vicinity of the site to serve the proposal. The site is said to be 2.5 miles from St Clears which has a range of facilities. The policy in the LDP makes reference to sites being "reasonably accessible to a range of facilities and services". It is considered that 2.5 miles to a settlement with a range of shops services and facilities is reasonably accessible and that the site is therefore in compliance with the policy.

Highway safety has been carefully considered and there have been detailed discussions between the applicant and the head of transport. It is noted that the site was part of the road corridor for the new A477 and formerly used as operational land for the construction of the road with access off the minor road. It is noted that there are existing accesses along the minor road which were formerly compound accesses within the applicant's ownership. The discussion has concluded that with some highway improvement in terms of a passing place and stopping up of an existing access, the highway can accommodate the additional traffic without detriment to highway safety.

Precedent for more pitches on the site is not a material planning consideration as it is speculative. The application is for two pitches and the merits of any additional pitches would be considered if proposed in the future.

The site will have to benefit from a range of utilities on site. It is noted that the land was formerly part of the operational land for the construction of the bypass and has a farm and bungalow opposite so it will be serviced by utilities.

The existing site in Kilgetty is said to be in the process of being extended. After dialogue with Pembrokeshire County Council's Gypsy and Traveller Liaison Officer, it has been confirmed that the 12 additional pitches (2 of which are subject to knotweed eradication so will not be available for several years) are not yet available and in any case have been pre-let to those living in touring caravans to satisfy part of the historic local demand and therefore the applicant does not have the option of expanding the existing pitch as he would not be a priority need.

The applicant has no links to local community and the site has no history of occupation by Gypsies. The applicant has bought a parcel of land off the Welsh Government and given the good accessibility to the trunk road network seeks to establish a single family site. The applicant has submitted an analysis of the formal sites in Pembrokeshire and Carmarthenshire and both have a shortfall of pitches, hence the site has been put forward

for the proposal. Circular 005/2018 encourages the use of private sites in these circumstances.

The site would not be suitable for affordable homes as it is in the open countryside and not contiguous with a settlement and hence not be in accordance with Policy AH2 of the LDP for exception sites.

Devaluation of property is not a material planning consideration so is therefore discounted.

Equality in terms of the Human Rights Act does apply to settled communities as well as travellers. However local and national policy and guidance has developed on the basis of planning case law where matters have been explored in detail. Circular 005/2018 specifically addresses Human Rights. The proposal has been considered in light of the national and local policies.

Other non-planning related objections are not relevant and are therefore discounted.

## **CONCLUSION**

After careful consideration of the site and surrounding environs in the context of the application it is considered that the site forms a new private Gypsy site in the open countryside for occupation by a single family.

The definition of a Gypsy and Traveller is set out in the Housing Act 2014 as follows:

- (a) Persons of a nomadic habit of life, whatever their race or origin, including –
  - (i) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and
  - (ii) Members of an organised group of travelling show people or circus people (whether or not travelling together as such); and
- (b) All other persons with a cultural tradition of nomadism or of living in a mobile home.

The case put forward is that they seek to relocate from a formal site in Pembrokeshire to a small single family site as there is insufficient space for them where they are living and there is a significant waiting list for new pitches. The applicant therefore seeks to establish a small private site for the family as encouraged by Circular 005/2018.

The site is in open countryside, being approximately 1.3km by road from the nearest settlement of Llanddowror and 4.4km by road from the centre of St Clears which has a range of local facilities. The site is not considered to be immediately related to schools, shops, medical and other community facilities, however in terms of the LDP Policy is considered to be "Reasonably Accessible".

Circular 005/2018 provides the most up to date National advice which is grounded in the Well Being of Future Generations Act 2015. The Circular seeks to ensure that "Gypsies and Travellers should have equal access to culturally appropriate accommodation as all other members of the community." Paragraph 12 states "Some Gypsies and Travellers may wish to find and buy their own sites to develop and manage. An increase in the number of

approved private sites may release pitches on local authority sites for Gypsies and Travellers.” The Circular goes on to reinforce the Housing Act duty to keep an up to date Accommodation Assessment to ensure the needs of the community are met. Paragraph 17 refers to and paragraph 26 addresses the benefit of local authorities working together on the assessments and taking a strategic regional approach. In this case, the proposal is for a single family unit and it would free up space on the Kilgetty Site in Pembrokeshire and not put pressure on Carmarthenshire to find a pitch on a public site for the family.

On balance, the proposal is considered to be in a location which is reasonably accessible to the trunk road network and the village of St Clears which has a range of services and facilities. Whilst there are concerns locally, the proposal is considered to be acceptable in accordance with local and national policy.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted is shall be carried out strictly in accordance with the following schedule of plans:-
  - 1:100 scale Proposed Elevations and Layout Plan. Drawing No. 2cf dated 6<sup>th</sup> August 2018;
  - 1:100 scale Proposed Elevations and Roof Plan Unit 1. Drawing No. 2aF dated 6<sup>th</sup> August 2018;
  - 1:100 scale Proposed Elevations and Roof Plan Unit 2. Drawing No.2bF dated 6<sup>th</sup> August 2018;
  - 1:500 scale Existing Site Sections. Drawing No. 3dF dated 6<sup>th</sup> August 2018;
  - 1:500 scale Proposed Layout Plan. Drawing No. 3bF dated 2<sup>nd</sup> October 2018;
  - 1:500 scale Proposed Drainage Line. Drawing No. 3cF2 dated 2<sup>nd</sup> October 2018;
  - 1:1000 scale Site Access dated 2<sup>nd</sup> October 2018;
  - 1:500 scale Proposed Landscape Plan. Drawing No. F2 dated 8<sup>th</sup> November 2018;
  - 1:500 scale Proposed Passing Bay. Drawing No. Pb2 dated 13<sup>th</sup> November 2018;
  - 1:2000 scale Site Plan dated 13<sup>th</sup> November 2018.
- 3 The site shall not be occupied by any persons other than Gypsies and Travellers as defined in paragraph 2 of Circular 115/2018 “Planning for Gypsy, Traveller and Showpeople Sites”.
- 4 The occupation of the site hereby permitted shall only be by Mr and Mrs Tony Jones and their resident dependants.
- 5 Should the land cease to be occupied by those named in Condition 4 above, the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to the land in connection with the use shall be removed and the land shall be restored to its former condition within 6 months.
- 6 No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 2 shall be static caravans or mobile home) shall be stationed on the site at any time.

- 7 No commercial activities shall take place on the land edged red or blue, including the storage of materials, nor shall any vehicle over 3.5 tonnes be stationed, parked or stored on it.
- 8 The former gated field entrance, shown on drawing Pb3 dated Nov 2018, shall be permanently stopped up and the public highway reinstated to the written approval of the Local Planning Authority, prior to the new means of access, herein approved, being brought into use.
- 9 The new vehicular access shall be laid out and constructed strictly in accordance with the submitted drawing Pb3 dated Nov 2018, prior to the occupation of any part of the development herein approved. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 10 Any access gates shall be set back a minimum distance of 10.0 metres from the highway boundary, and shall open inwards into the site only.
- 11 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5.0 metres from the near edge of the carriageway.
- 12 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 120 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.
- 13 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.
- 14 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained 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.
- 15 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 16 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 17 The access road shall be hard-surfaced in a bonded material for a minimum distance of 10.0 metres behind the near edge of carriageway, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
- 18 A passing bay, giving a carriageway width of 5.5 metres over a 10 metres linear length of the road, shall be provided within the C3230 highway fronting the site at the location shown on drawing Pb3. This shall be implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.

- 19 The proposed ecological buffer zone shall be retained in perpetuity and managed in accordance with the “Interim Management Plan” dated 8 November 2018.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity.
- 3-4 Permission is personal for the applicant and dependant relatives.
- 5 To ensure restoration of the site once the use has ceased.
- 6 To limit the scale of usage to reflect the personal permission.
- 7 To protect the character and amenity of the open countryside.
- 8-18 In the interests of highway safety.
- 19 In the interests of ecology.

## **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 proposal complies with Policy GP1 of the LDP in that it is appropriate in terms of scale and design, and will not cause unacceptable loss of amenity to neighbouring uses.
- The proposal complies with Policy H7 of the LDP in that it is situated in an acceptable location and is not likely to have an unacceptable adverse impact on the amenities of third parties, or the character of the surrounding landscape.
- The proposal complies with Policy TR3 in that highway improvements are proposed and the scheme is not therefore likely to have an adverse impact on highway safety.

## **NOTES**

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

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

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

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

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

<b>Application No</b>	<b>W/37690</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	UPGRADING OF EXISTING ENTRANCE TO WOODLAND TO ALLOW FOR THE EXTRACTION OF TIMBER AT ENTRANCE TO ALLT WERNCOR GAM COMMERCIAL FOREST, WEST OF LLANLLWCH, CARMARTHEN, SA31 3QY

<b>Applicant(s)</b>	TILHILL FORESTY LTD - IWAN PARRY, 14 HIGH STREET, LLANDOVERY, SA20 0PY
<b>Agent</b>	UPM TILHILL - IWAN PARRY, UPM TILHILL, LLOYDS BANK CHAMBERS, 14 HIGH STREET, LLANDOVERY, SA20 0PY
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Llansteffan
<b>Date of validation</b>	16/08/2018

## CONSULTATIONS

**Head of Transport** – Has raised no objection to the application.

**Llangain Community Council** – Has not commented on the application to date.

**Local Members** – County Councillor C Jones is a member of the Planning Committee and has made no prior comment on the application.

County Councillor G John, who is a local member for the neighbouring Carmarthen Town South ward, accepts that the mature woodland needs to be harvested at some point but highlights that Alltynap Road on which the site is located already suffers from a significant volume of HGV traffic in association with Cwrt Malle Farm as well as general agricultural contractor traffic. He therefore requests the implementation of a traffic management plan as part of the proposal in order to mitigate the likelihood of road blockages as a result of the haulage of timber from the forest.

**Neighbours/Public** – The application has been publicised with the posting of a site notice to the front of the site. In response, four letters of representation have been received from nearby residents who object to the proposal and raise the following concerns:-

- The movement of heavy goods vehicles and agricultural machinery along Alltynap Road has increased significantly over recent years.
- The road is not suitable for large vehicles.

- Impact upon the environment in terms of noise levels and air pollution.
- Detrimental impact upon highway safety and the amenity of residents.
- Consideration needs to be given to an alternative route as Alltynap Road is already at capacity.
- The proposal will equate to an average of 2 HGV movements per day for a 2 month period.
- Problems for vehicles passing each other at narrower parts of the road.
- Damage and devaluation of existing properties.
- The entrance to the field is a public footpath.
- The cumulative impact of the development with the large articulated lorries currently travelling along Alltynap Road to and from Cwrt Malle Farm which currently has an application to expand further.

The local Assembly Member for Carmarthen West, Angela Burns, reiterates the abovementioned concerns on behalf of her constituents and requests that consideration be given to an alternative route or that a condition be placed on the permission granted ensuring lorry movements are restricted and do not coincide with the school bus service.

## **RELEVANT PLANNING HISTORY**

There is no relevant planning history on the application site.

## **APPRAISAL**

### **THE SITE**

The application site consists of an existing field entrance located on the northern side of Alltynap Road approximately 500 metres to the south west of the village of Llanllwch. The entrance provides access to a large open field enclosure that flanks the northern side of the roadway and is bounded to the north by a mature woodland known as Allt Werncorgam.

There is a farmstead of large agricultural buildings and stone barns located to the south of the site on the opposite side of the roadway with the access to the same being directly opposite the site. The farm house itself is located further to the south west and has its own separate access.

Alltynap Road is of a rural character within the vicinity of the site having mainly a single carriageway width and being flanked by high hedgebanks. It widens to the east of the site on its approach through Llanllwch beyond which it forms the main access road serving Cillefwr Industrial Estate. To the west, the road maintains its narrowness and rural character and links up with a number of similar roads that serve the wider areas of Llangain and Llangynog.

### **THE PROPOSAL**

The application seeks full planning permission for the widening and improvement of the existing field entrance to allow for the harvesting of the neighbouring Allt Werncorgam woodland located to the north of the field entrance and enclosure.

The woodland was planted with a crop of Douglas fir trees in the 1960's as a commercial timber crop and the trees are now mature and ready for felling. The applicant has been granted a tree felling license by Natural Resources Wales and intends to extract the timber

via an access track that will cross the field and egress onto Alltynap Road via the existing field access. The timber will be transported by HGV's which, on egressing the field, will head in an easterly direction along Alltynap Road through Cillefwr Industrial Estate towards the wider strategic road network of the A40 and A48.

The access is to be widened and improved to allow for the safe passage of HGV's to and from the site. A splayed entrance is to be formed onto the roadway having a maximum width of approximately 13 metres which will narrow down to 4 metres on the approach into the field. The access will extend to a distance of 25 metres into the field and have a stone finish. Part of the existing hedge to the east of the access is to be translocated to form the new splay that will allow the vehicles to easily access and egress the field in this direction. The front section of the hedge to the west is to be reduced in height in a tapered manner along a 30 metre length from the access to improve the vision splay in this direction. Once the timber has been harvested this hedge will be allowed to grow back to its existing height. The applicant has provided a detailed method statement for the proposed translocation and cutting back of the hedgerows which has been prepared with the advice of the Authority's Planning Ecologist.

The applicant has confirmed that the harvesting of the woodland will take place over a two month period and will require an estimated 94 HGV movements to extract the timber. Following discussions with officers including those of the Highways and Transport Service, the applicant has provided a traffic management plan to minimise the impacts of the HGV vehicles leaving the site upon the narrowest length of Alltynap Road between the field access and Cillefwr Industrial estate to the east which is approximately 1.2 kilometres in length.

The plan limits the number of HGVs entering and leaving the site to six in any one day with the maximum size of the convoy of vehicles being the same number. The HGV's carrying the timber and leaving the site will be required to travel in an easterly direction along Alltynap Road towards Cillefwr Industrial Estate and, before doing so, oncoming traffic heading west towards the site from the Industrial Estate and Llanllwch will be stopped to prevent a conflict of traffic along the narrowest parts of the roadway. Similarly, traffic heading east will be stopped at the entrance to the site when the HGV's start their journey to the site from Cillefwr Industrial Estate to collect the timber. The applicant will utilise a two way radio system and appropriate signage to ensure the efficient operation of the management plan. Furthermore, no HGV's will be permitted to enter or leave the site during peak hours of between 8:00am and 9:30am in the morning and 3pm and 6pm in the evenings in order to avoid the busiest traffic periods.

It is of note that the felling of the woodland and the creation of internal tracks and turning facilities, including the creation of a track across the field enclosure, are permitted development by virtue of Part 7 of the Town and Country Planning (General Permitted Development) Order 1995. They do not therefore require planning permission. Notwithstanding this, the applicant intends to submit a prior notification application relating to the siting and means of construction of the internal tracks and turning facilities prior to the development commencing.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is outside the development limits of Carmarthen as defined in the adopted Carmarthenshire Local Development Plan (LDP). The following policies of the Plan are relevant to the proposal.

Policy GP1 is a general policy which seeks, amongst others, to promote sustainability and high quality design and to ensure that new development proposals conform with and enhances the character and appearance of the site and area. The policy also requires that proposals retain and where appropriate incorporate important local important features such as hedgerows and trees and that developments should not have a significant impact on the amenity of adjacent land uses and properties. It also requires the provision of an appropriate access which does not give rise to any parking or highway safety concerns on the site or within the locality.

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. The policy also requires that access standards including visibility slays and design features should be provided to ensure highway safety and the ease of movement of vehicles.

Policy EQ4 relates to biodiversity and states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and in exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made. Allied to the above, Policy EQ5 permits proposals which would not adversely affect those features which contribute to local distinctiveness/qualities of the County.

### **THIRD PARTY REPRESENTATIONS**

As noted above, the application has attracted four letters of objection from local residents as well as a letter from the local Assembly Member wherein she raises concerns on behalf of her constituents. County Councillor G John has also commented on the application and requested the implementation of a traffic management plan in order to mitigate the likelihood of road blockages along Alltynap Road. The issues raised are addressed below.

The principal concern amongst respondents is the likely traffic impact of the proposal along Alltynap Road which it is suggested is not suitable for the large vehicles that will transport timber from the site. Particular reference is made to the narrowness of the road which will preclude vehicles from passing and the potential impact upon highway safety. A number of respondents draw reference to the cumulative impact of the proposal with the nearby Cwrt Malle farm holding which, it is suggested, has resulted in the increased movement of heavy goods vehicles and agricultural machinery along the road over recent years.

The traffic management plan submitted by the applicant is to be implemented to mitigate the potential traffic impacts upon Alltynap Road and has been prepared upon the advice officers. Following an assessment of the proposal, the Head of Transport has raised no objection to the access improvements and is satisfied that the measures proposed in the traffic management plan will prevent conflicts between HGV's and other traffic travelling along Alltynap Road. Furthermore, the plan will preclude the HGV's from entering and leaving the site during the peak hours in the morning and afternoon when traffic flows along the road are likely to be higher. This will further safeguard against any unacceptable impact upon the existing flow of traffic as well as the amenity of neighbouring residents along the

route. The short distance between the site and the industrial estate will also ensure that any delay or inconvenience to existing road users will be minimal.

Members will have noted that the felling of the woodland will generate an estimated 94 HGV movements to extract the timber with this being undertaken over an estimated two month period. The level of traffic equates to an average of 2 HGV's per day over a two month period or alternatively an increase in the number of movements up to the six permitted in the traffic management plan would significantly reduce the duration of the harvesting works and the increased traffic flows along Alltynap Road. The additional traffic movements will only therefore occur over a short period of time and, with the mitigation measures proposed, it is not considered that the increase will be of such a level so as to unacceptably harm the living standards of those residents living along Alltynap Road. The widening of the access and works to the existing hedgerows will also ensure that the vehicles egressing the field will have adequate visibility of oncoming traffic along the roadway.

A number of respondents have suggested that consideration be given to an alternative route given that Alltynap Road is perceived to already be at capacity. The countryside location of the woodland to the west of Johnstown means that Alltynap Road provides the shortest and only direct route to the wider strategic highway network of the A40 and A48. Alternative routes would not be feasible given the restrictive nature of the rural highway network.

Any planning permission granted will be conditioned to require that the HGV movements using the improved access in association with the harvesting of the woodland must comply with the measures contained in the traffic management plan. The proposal is therefore considered to be in compliance with the objectives of policies GP1 and TR3 of the LDP in terms of its impact upon the highway network and the amenity of local residents.

Concerns that the proposal will impact upon an existing public footpath are mistaken in that there is no public right of way crossing the field enclosure or its entrance onto the roadway.

Finally, matters relating to the devaluation of property prices and damage to existing properties are no material in the consideration of the application.

## **CONCLUSION**

After careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date, the proposed widening and improvement to the existing field entrance to allow for the harvesting of the Allt Werncorgam woodland is considered to be acceptable.

The improvement to the existing field access and associated traffic management measures as part of the harvesting of the woodland will ensure there will be no unacceptable impact on the surround road network or the amenity of local residents. The Authority's Planning Ecologist has raised no objection to the proposed work to the existing hedgerows as part of the proposal and the translocation and retention of the same will safeguard against any unacceptable visual impact upon the character and appearance of the surrounding rural area.

The proposal is therefore considered to be in accord with the abovementioned policy objectives of the Authority's LDP and is therefore put forward with a favourable recommendation.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information:-
  - Site plan (1a) received on 28 November 2018;
  - Site plan (2a) received on 28 November 2018;
  - Plan of new entrance (Hedgerow) received on 23 November 2018;
  - Method statement for cutting back hedge to improve visibility received on 23 November 2018;
  - Method statement for translocation of hedge bank received on 23 November 2018;
  - Hedge translocation maintenance and management schedule received on 30 November 2018;
  - Traffic management plan received on 28 November 2018.
  - Traffic management plan 1:10,000 received on 28 November 2018.
- 3 The development hereby approved shall be undertaken in strict accordance with the details and measures contained in the following documents:
  - Method statement for cutting back hedge to improve visibility received on 23 November 2018;
  - Method statement for translocation of hedge bank received on 23 November 2018;
  - Hedge translocation maintenance and management schedule received on 30 November 2018;
- 4 All Heavy Goods Vehicles (HGV) using the improved access hereby approved in association with the harvesting of Allt Werncorgam woodland shall do so strictly in accordance with the measures contained in the Traffic management plan and accompanying traffic management plan (1:10,000) received on 28 November 2018.

### **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 ensure the retention of existing landscape features and in the interests of visual amenity.
- 4 In the interests of highway safety.

### **REASONS FOR GRANTING PLANNING PERMISSION**

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

- The proposal complies with Policy GP1 of the LDP in that it will be in keeping with the character and appearance of the surrounding area and will not cause unacceptable highway impacts or loss of amenity to surrounding properties.
- The proposal complies with Policy TRS3 of the LDP in that it will not adversely affect highway safety or residential amenity.
- The proposal complies with policies EQ4 and EQ5 of the LDP in that it will not result in any unacceptable ecology or landscape impacts.

#### **NOTE(S)**

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

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

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

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

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

<b>Application No</b>	<b>W/37831</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	OBSCURED GLAZING TO SIDE ELEVATIONS OF PLOTS 4 AND 5. CHANGE OF DORMER STYLING AT PLOT 4 & 5, CAE COCH, LAND OFF HEOL CWM MAWR, DREFACH, LLANELLI

<b>Applicant(s)</b>	HAYWOOD HOMES LTD - MIKE HAYWOOD, CAE COCH, LAND OFF HEOL CWM MAWR, DREFACH, LLANELLI, ,
<b>Agent</b>	PRIME ARCHITECTURE LTD - CELLAN JONES, UNIT 4, 3 LLANDEILO ROAD, CROSS HANDS, LLANELLI, SA14 6NA
<b>Case Officer</b>	Richard Jones
<b>Ward</b>	Gorslas
<b>Date of validation</b>	21/09/2018

## CONSULTATIONS

**Gorslas Community Council** – Has not commented to date.

**Local Members** - County Councillor D Price and Councillor Aled Vaughan-Owen have not commented to date.

**Neighbours/Public** - The application has been publicised by the posting of a Site Notice adjacent to the application site and three neighbouring properties were individually consulted. Four letters of objection have been received and these are summarised below:-

- Concerns that the Local Planning Authority has not carried out the correct publicity for the application.
- Unauthorised culverting work has taken place and the site levels are unauthorised given that they differ to the approved plans.
- General concern regarding the placing of an unauthorised window in the flank wall of the dwelling at Plot 5 and the impact on privacy of neighbouring occupiers of Uwch Gwendraeth.
- The window at Plot 5 could be opened and residents could overlook the garden areas of dwellings to the north, to the detriment of their residential amenity.
- The offending window does not comply with the Council's own standards in terms of separation distances from adjoining private garden areas.
- The introduction of the window in Plot 5 represents a breach of the existing planning permission.

- Concern relating to a rear dormer window at Plot 3 which is also overlooking many neighbouring properties.

## RELEVANT PLANNING HISTORY

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

W/37588	Amend the Section 106 Agreement by removal of affordable dwellings and/or contribution and any commuted sums required	Pending
W/36959	Non-material amendment to W/32959 Non-Material Amendment granted	24 August 2018
W/36872	Non-material amendment to W/32960 Non-Material Amendment granted	24 August 2018
W/35864	Discharge of condition 3 and 7 of W/32960 (landscaping and parking spaces) Discharge of planning condition granted	13 December 2017
W/35863	Discharge of condition 3 and 7 of W/32959 (landscaping and parking spaces) Discharge of planning condition granted	13 December 2017
W/35199	Non-material amendments to planning approval W/32960 ie (1) amendment to elevations material finishes on plots 1-4 and 14-16 and (2) Juliette balcony to front elevations on plots 14 and 15 Non-material amendment granted	16 March 2017
W/35167	Non-material amendments to planning approval W/32959 (1) amendment to elevations material finishes on plots 5-13 and (2) Juliette balcony to front elevations on plot 12 and mirror plot 12 Non-material amendment granted	16 March 2017
W/32960	Construction of 7 no. dwellinghouses with access road (revision to road details submitted under planning permission W/29959) Full planning permission S106 signed - affordable housing/open space - commuted sum	30 June 2016
W/32959	Submission for approval of reserved matters of access, layout, scale, appearance and landscaping for 9 no. dwellinghouses and access road Reserved Matters granted Deed of Variation	25 August 2016
W/29959	Residential development Outline planning permission S106 signed - affordable housing/open space - commuted sum	18 March 2015

## **APPRAISAL**

### **THE SITE**

The application site comprises two residential dwellings and their respective curtilages on an estate of modern residential dwellings. The two dwellings were approved as part of two larger development phases in 2016, namely W/32959 (Plot 4) and W/32960 (Plot 5) and most of the dwellings are now either occupied or are awaiting occupation.

Each dwelling is a dormer style bungalow characterised by a front projecting gable forming an L shape footprint. Both have off road parking and an area of rear private amenity space.

The two plots have their curtilages adjoining each other with Plot 4 having its side elevation (east) facing the front elevation (west) of Plot 5. The two structures maintain a separation distance of approximately 16m from one another. In terms of the relationship with neighbouring properties Plot 4 shares a rear boundary with Nos 26 and 28 Uwch Gwendraeth (an separate residential estate to the north) and maintains a separation distance of approximately 18m and 25m respectively. It shares a side boundary with Plot 3 on the same residential estate. Plot 5 has its side (north elevation) facing the rear boundaries and private gardens of Nos 28 and 30 Uwch Gwendraeth. The flank wall of Plot 5 will maintain a distance of approximately 5m from the rear boundaries of 28 and 30 and 32m and 37m from their rear elevations.

The site is located within the village of Drefach which itself is within the Ammanford-Cross Hands Growth area. The principle of development has already been established at this site and both Plots 4 and 5 are currently complete and occupied.

### **THE PROPOSAL**

The application seeks planning permission to retain the first floor obscure glazed window openings in the east elevation of Plot 4 and north elevation of Plot 5. The submission also seeks to amend the dormer bungalows by increasing the height from 6.2m as approved to 6.7m. Further physical changes include the reconfiguration of a first floor en-suite and the removal of the storm porch on the ground floor side (east) elevation. Material finishes, siting and footprint dimensions remain unchanged.

### **PLANNING POLICY**

In the context of the current development control policy framework the adopted local plan for the area is the Carmarthenshire Local Development Plan (December 2014).

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that “it conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing” and “it protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment”. Development will be permitted where it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community.

Paragraph 2.2 of Technical Advice Note 12 Design (2014) states:-

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

Paragraph 2.6 of Technical Advice Note 12 Design (2014) states:

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

Policy SP1 Sustainable Places and Spaces refer to distributing development to sustainable location in accordance with the settlement framework and promotes the efficient use of land. Integrating with the character and amenity of the area is also referred to.

Policy SP3 Sustainable Distribution – Settlement Framework outlines the growth areas for the County of which Carmarthen is one.

Provision for growth and development will be at sustainable locations in accordance with the following Settlement Framework

## **ASSESSMENT**

Turning firstly to the increase in height of the bungalows from 6.2m to 6.7m in height. In making this change the developer has increased the height elevations to wall plate level while the roof shape and pitch has remained unaltered. This increase is considered a modest change as a proportion of the dwelling's originally approved height and given the separation distances from neighbouring private garden areas and dwellings, it is not considered that this amendment will have a significant impact upon neighbouring occupiers to the detriment of their residential amenities. The internal reconfiguration of each dwelling is relatively minor and would not require planning permission.

With regard to the introduction of obscure glazed window openings in each of the dwellings. In the case of Plot 4, it is noted that this will overlook the front driveway and garden of Plot 5, an area which can already be publicly viewed from the estate road. Furthermore the window which serves a first floor bedroom is obscure glazed therefore clear overlooking of this area is very limited. On this basis it is considered there will not be any significant harm to the privacy of the occupiers of Plot 5 over and above what is currently experienced. Furthermore the occupiers of Plot 5 have raised no objection to the presence of the window facing them.

The unauthorised window relating to Plot 5 is located at first floor level, will serve a bedroom and has been inserted into the north (side) elevation of the dwelling. As referred to in "The Site" section of the report it will face the rear gardens of Nos. 28 and 30 Uwch Gwendraeth and maintain a distance of approximately 5m from their rear boundaries and 32m and 37m respectively from their rear elevations. The window proposed for retention is required as a means of escape from a first floor window therefore will be required to satisfy building regulations. It is noted from the plans and the case officer's inspection that the window it is obscure glazed to prevent clear overlooking of the private garden areas of Nos. 28 and 30. Blinds were also evident from the site inspection. Given that the window is a means of

escape it will be openable and if desired could allow for overlooking into the neighbouring garden area. Notwithstanding this, it is reasonably assumed that the occupier would not wish to be overlooked by Nos. 28 and 30 by fully opening the window and the presence of window blinds suggest that additional means to safeguard privacy have been incorporated. Therefore whilst there could be overlooking into the garden areas of Nos. 28 and 30 which would invade the privacy of the occupiers, it is considered that on balance the obscure glazing of the window and the reasonable expectation that the occupiers of Plot 5 would themselves wish to maintain privacy, will ensure no significant harm to the amenity of neighbouring residential occupiers.

### **THIRD PARTY REPRESENTATIONS**

Turning now to the third party representations received. There is general concern expressed regarding the presence of the obscure glazed window in the north elevation of Plot 5 and the impact this will have on the privacy of private garden areas and habitable space associated with properties to the north. A detailed assessment of the privacy impact has been provided in the 'Assessment' section of the report and is considered to address the concerns of neighbouring occupiers.

One objector has sighted in detail policy extracts which he claims are Council guidelines relating to windows and the separation distances they should maintain. On closer inspection it appears the objector has referred to English planning policy and not that of Carmarthenshire County Council. Furthermore, there is currently no specific extant Council policy providing prescriptive guidelines on window position relative to neighbouring properties.

Concerns also relate to the impact of overlooking from the first floor window in the rear roof plane of Plot 3, however, this is a bathroom window and was built in accordance with the approved scheme.

Reference has also been made to unauthorised culverting work taking place outside of the site, however, there was no evidence of this when the case officer visited the site.

There is concern that the LPA did not carry out the necessary publicity relating to the application. This is not correct, as a site notice was displayed within the estate of Cae Coch and individual letters were sent to the properties of Uwch Gwendraeth that share a common boundary with Plots 4 and 5.

Finally land ownership between the boundaries of the new properties and those belonging to Uwch Gwendraeth has been questioned. This is not a planning matter, nor is it a matter the LPA should resolve. Nevertheless the applicant has provided a land registry plan and title papers to show that he owns the land in question. No valid evidence to counter this has been submitted by the objector to show that he owns the land.

### **CONCLUSION**

After careful consideration of the site and surrounding environs, it is considered that the proposal on balance is acceptable and complies with the relevant policies. The increase in height of the two dwellings is considered modest and will not significantly harm the amenities of neighbouring occupiers or the character and appearance of the immediate area. The addition of the obscure glazed window in Plot 4 is also considered acceptable in that it will

not harm the amenities of neighbours, whilst on balance the obscure glazed window at Plot 5 will not significantly harm the privacy of neighbouring residents.

As such the application is put forward with the recommendation of approval subject to conditions.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 21<sup>st</sup> September 2018.
- 2 The development shall be carried out strictly in accordance with the approved plans and documents received on 30<sup>th</sup> August 2018, unless otherwise stipulated by conditions, as follows:
  - Block and Location Plan [04] 1:500, 1:1250 @A3;
  - Site Plan [03] 1:100 @A3;
  - Plot 4 – Elevation and Floor Plans [01] 1:100 @A3;
  - Plot 5 – Elevations and Floor Plans [02] 1:100 @A3.

### **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt as to the extent of this permission.

### **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 GP1, of the adopted Local Development Plan in that the design and scale of the development does not give rise to significant detrimental impacts in terms of the character and appearance of the area or appear physically overbearing upon neighbouring occupiers. The obscure glazed windows inserted into the east and north elevations of Plots 4 and 5 respectively, are considered on balance acceptable and will not lead to any significant detrimental impact upon the privacy of neighbouring occupiers

### **NOTE(S)**

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

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

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

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

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

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

<b>Application No</b>	<b>W/38027</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE OF EXISTING BARN INTO HOLIDAY LET ACCOMMODATION AT PARCNWC, OLD SCHOOL ROAD, LLANSTEFFAN, CARMARTHEN, SA33 5HA

<b>Applicant(s)</b>	ROBERTS, PARCNWC, OLD SCHOOL ROAD, LLANSTEFFAN, CARMARTHEN, SA33 5HA
<b>Agent</b>	SAURO ARCHITECTURAL DESIGN LTD - PETER SAURO, SAURO ARCHITECTURAL DESIGN LTD, 9 ELLISTON TERRACE, CARMARTHEN, SA31 1HA
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Llansteffan
<b>Date of validation</b>	12/11/2018

## CONSULTATIONS

**Head of Transport** – Has raised no objection to the application.

**Llansteffan and Llanybri Community Council** – Has not commented on the application to date.

**Local Members** – County Councillor C Jones is a member of the Planning Committee and has made no prior comment on the application.

**Dwr Cymru/Welsh Water** – Has not commented on the application to date.

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

## RELEVANT PLANNING HISTORY

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

D4/2587	Extension to dairy for milk storage tank Full planning permission	12 August 1976
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## APPRAISAL

## **THE SITE**

The application site consists of a detached barn and part of the curtilage of an adjacent farm house located on Old School Road on the outskirts of Llansteffan. The barn forms part of the farmstead of Parcncw Farm being located adjacent to and at right angles to the main farm house. It fronts on to the court yard and parking area of the farmhouse with the farmstead being set at a higher level than the road.

The barn is of a single storey design being rectangular in shape and has a pitched slated roof. It has stonework walls that have been rendered on its front and one side elevation. There is a smaller lean-to structure at the rear of the main barn which is of a similar stone construction and has a sloping roof that is clad with corrugated sheeting.

The front of the barn is characterised by a single door opening and small window with further door and window openings on the side and rear elevations. There is a hardstanding to the rear of the building that is accessed from the courtyard of the farmstead by a gated entrance to the side of the barn. Beyond this is an open field enclosure.

The farmstead includes an additional larger barn structure located to the north of the house and on the opposite side of the courtyard to the application building. There are also a number of further agricultural buildings to the rear of the house which serve the wider holding. The two barns and farmhouse are served by a single access located to the front of the courtyard that is flanked by walling and hedgerows.

The site is located some 70 metres to the north of the development limits of Llansteffan with the surrounding area having a rural character and appearance. The centre of the village is some 500 metres to the south of the site.

## **THE PROPOSAL**

The application seeks full planning permission for the change of use and conversion of the barn to provide holiday let accommodation. The proposal will provide two bedroom accommodation together with a lounge, bathroom and kitchen dining facility. It will include the demolition of the existing lean-to structure to the rear of the main barn and its replacement with a new lean-to structure which is to have a larger footprint. The elevations of the main barn are to consist of a rendered finish to match those of the existing structure while the roof is to be clad with natural slates. The rear lean-to addition is to have timber clad elevations and a grey standing seam roof.

The existing door and window openings of the barn are to be retained as part of the proposal with the rear extension is to having a number of door and window openings to maximise the light to the accommodation therein.

Vehicular access to the converted building will be achieved via the existing access to the courtyard which is to be extended to the side and rear of the building. Provision is made for three parking spaces to the rear of the building as well as a generous amenity area that will be enclosed with post and rail fencing.

The application has been accompanied by a structural survey which confirms that the building is structurally sound. A bat survey report has also been provided which found no evidence of bats in the building.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is outside the development limits of Llansteffan as defined in the adopted Carmarthenshire Local Development Plan (LDP). The following policies of the Plan are relevant to the proposal.

In terms of the Plan's strategic policy context, Policy SP1 promotes environmentally sustainable proposals and encourages, amongst others, the efficient use of vacant, underused or previously developed sites.

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

Policy TSM4 of the Plan permits proposals for permanent serviced or self-catering visitor accommodation outside the development limits of settlements where they consist of the re-use and adaptation (including conversion) of existing buildings and comply with the requirements of criteria (d) and (e) of Policy H5 of the Plan. This latter policy relates to the adaption and re-use of rural buildings for residential use and permits proposals for the same subject to the building being structurally sound and substantially intact and of sufficient size to accommodate the proposed use without extensive alteration, extension or re-construction. The building should also demonstrate and retain sufficient quality of architectural features and traditional materials with no significant loss of the character and integrity of the original structure.

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

From a national planning policy perspective, paragraph 11.1.1 of Planning Policy Wales (Edition 9 – November 2016) highlights that tourism is vital to economic prosperity and job creation in many parts of Wales. It is seen as a significant and growing source of employment and investment and can be a catalyst for environmental protection, regeneration and improvement in both rural and urban areas. The document confirms the Welsh Government's aim for tourism to grow in a sustainable way to make an increasing contribution to the economic, social and environmental well-being of Wales. Edition 9 – November 2016

## **THIRD PARTY REPRESENTATIONS**

No third party letters of representation have been received to date. The application is presented to Committee on the basis that one of the applicants is a member of staff in the Planning Service.

## **CONCLUSION**

After careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date, the proposal is considered to be acceptable and in accordance with the objectives of the Authority's LDP as well as those of national planning policy. The proposal will involve the re-use and adaptation of an existing building which is of a traditional character and appearance while also being structurally sound and capable of conversion without extensive alteration. The scheme is sensitive to the appearance of the existing building in retaining existing fenestration and original features while the design and finishes of the rear lean-to addition will also complement its overall appearance.

The proposal will provide a beneficial economic use for a vacant and underused agricultural building and assist in encouraging visitors to the local area. In this regard it will have a positive economic impact upon the wider rural economy wherein it is located. Furthermore, the proposal is sustainable in that it is located within walking distance of the services and facilities within Llansteffan while also having no unacceptable impact upon the appearance of the surrounding area or amenity of adjacent land uses and occupiers. There are also no highway objections to the proposal.

The proposal is therefore considered to be in accord with the abovementioned policy objectives of the Authority's LDP and those of national planning policy and is therefore put forward with a favourable recommendation.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby approved shall be commenced before the expiration of two years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information:-
  - Site location plan (LP-01) received on 25 August 2018;
  - Existing floor plans and elevations (01B) received on 4 December 2018;
  - Proposed floor plans and elevations (06.B) received on 1 November 2018;
  - Site block plan (02B) received on 1 November 2018;
  - Bat survey report prepared by I & G Ecological Consulting received on 25 August 2018;
  - Structural Appraisal Report prepared by MW Consulting dated 16 August 2018 and received on 25 August 2018.
- 3 The development hereby approved shall be undertaken in strict accordance with the recommendations contained in the sections 4.2 and 5 (conclusions and recommendations & outline method statement for planning) of the bat survey report prepared by I & G Ecological Consulting received on 25 August 2018.
- 4 The development hereby approved shall be occupied as holiday accommodation only and not be occupied as a person's sole or main residence.

- 5 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the detail shown prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 6 Notwithstanding the provisions of the Town and Country Planning, Wales (General Permitted Development) (Amendment) (Wales) Order 2013 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D and E shall be carried out within the curtilage of the holiday unit hereby approved (other than those expressly authorised by this permission) without the prior written consent of the local planning authority.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls other than those shown on the plans herewith approved shall be erected within the curtilage of the development hereby approved without the prior written consent of 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 In order to ensure that there is no detriment to the maintenance of the favourable conservation status of Bat species.
- 4 In order to preclude the permanent occupation of the development.
- 5 In the interests of highway safety.
- 6+7 In the interests of the visual amenity of the surrounding area.

## **REASONS FOR GRANTING PLANNING PERMISSION**

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

- The proposal complies with Policy SP1 of the LDP in that it is environmentally sustainable and will involve the re-use of a vacant and underused building.
- The proposal complies with Policy GP1 of the LDP in that it is appropriate in terms of scale and will not cause unacceptable loss of amenity to neighbouring properties.
- The proposal complies with Policy TRS3 of the LDP in that it will not adversely affect highway safety or residential amenity.

- The proposal complies with Policies TSM4 of the of the Carmarthenshire Local Development Plan in that it will involve the reuse of an existing underused building which is of a traditional character and appearance and is structurally sound and capable of conversion without extensive alteration.

## **NOTE(S)**

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

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

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

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

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

**APPLICATIONS RECOMMENDED FOR REFUSAL**

<b>Application No</b>	<b>W/37164</b>
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<b>Application Type</b>	Discharge of Section 106 Agreement
<b>Proposal &amp; Location</b>	DISCHARGE OF SECTION 106 AGREEMENT ATTACHED TO PLANNING PERMISSION W/02153, WHEREBY THE RESIDENTIAL USE OF THE EXISTING FARMHOUSE WAS TO BE CEASED AND FOR THE HOUSE TO BE USED FOR AGRICULTURAL STORAGE INSTEAD AT CYSTANOG FARM, CAPEL DEWI ROAD, LLANGUNNOR, CARMARTHEN, SA32 8AY

<b>Applicant(s)</b>	MR D E WILLIAMS, CYSTANOG FARM, CAPEL DEWI ROAD, LLANGUNNOR, CARMARTHEN, SA32 8AY
<b>Agent</b>	JCR PLANNING LTD - RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
<b>Case Officer</b>	Stuart Willis
<b>Ward</b>	Llangunnor
<b>Date of validation</b>	27/04/2018

## CONSULTATIONS

**Llangunnor Community Council** – The community council were not directly consulted on this application, nevertheless have written in raising no objection to this application.

**Legal Services Division** – The legal agreement still serves a useful purpose in land use planning terms. It is arguable that whilst the farmhouse may not be capable of fulfilling the storage requirements under the terms of the agreement the purpose of the agreement in land use planning terms was to prevent the farmhouse being used for residential occupation as a replacement farmhouse was to be provided instead.

**Neighbours/Public** – No public consultation was carried out on this application. It does not relate to a development proposal, but modifying a legal agreement and on this basis public consultation was not considered a requirement. This application seeks to modify a covenant forming part of the legal agreement that pertains to the site and approval number W/02153.

## RELEVANT PLANNING HISTORY

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

PA/15828	Change of use from agricultural storage to dwelling With replacement rear and side extension Pre-Application - Statutory	19 December 2017
W/03095	Breswylfa ailosod replacement dwelling Reserved Matters Granted	10 January 2000
W/02153	Replacement farm house Outline planning permission S106 Signed - Cessation of Use (building/land)	30 June 1999

## **APPRAISAL**

**The application is being reported to committee as the applicant is a local member.**

## **THE SITE**

The application site comprises a dilapidated farmhouse set amongst a collection of farm buildings associated with Cystanog Farm, Capel Dewi. A modern storage extension adjoins the farmhouse forming an L shape footprint. The site is accessed via a narrow track off Capel Dewi Road and is located approximately 3 miles to the east of Carmarthen. The farm buildings around the derelict farmhouse showed little sign of use upon inspection by the case officer.

Approximately 90m to the south east of the derelict farmhouse is a modern detached bungalow set within spacious grounds. The planning history for the site reveals that the detached bungalow was approved in 1999 (W/02153 refers) as a replacement to the farmhouse, albeit some 90m to the south east. The committee report relating to this decision details that the detached bungalow was justified in accordance with Policy CH12 ("Replacement Dwellings") of the then local plan and that a legal agreement was considered necessary to rescind the residential rights of the existing farmhouse. Therefore a S.106 legal agreement was entered into by the applicant to ensure the owner covenants to cease the use of the existing farmhouse prior to construction of the bungalow. The legal agreement also states that the former farmhouse shall only be used of agricultural storage.

## **THE PROPOSAL**

Permission is sought to modify the legal agreement on the existing disused farmhouse by removing the covenant on the farmhouse that currently limits its use to storage. This is not therefore a proposal for the change of use of the land or a building operation, rather to remove a restriction of the legal agreement.

### **The Applicant's Case**

In justifying the proposed modification to the legal agreement the applicant's agent states that since being vacated, the farmhouse has not fulfilled any meaningful use. It has not been used for a form of agricultural storage in accord with the obligations of the Section 106 Agreement. He then goes on to state that Welsh Office Circular 13/97 "Planning Obligations" provides guidance as to the discharge/removal of such Agreements under Annex C. Such formal discharge may be sought if a period of five years has elapsed since completion of the Agreement, which has occurred in this case.

Although not sighting any particular cases, the agent maintains, that case law refers to the general requirement as to whether the Agreement still fulfils its original intention/purpose. In the case of the Agreement at Cystanog, it should be noted that a period of some 18 years has elapsed since the Agreement was completed. The farmyard at Cystanog no longer fulfils any meaningful agricultural role in the agent's view.

The Agent suggests that the other outbuildings adjacent to the site are better suited to providing storage as the former house is two-storey, with traditional entrance doors and window openings, and thus not capable of readily providing access for livestock, nor modern agricultural equipment, plant or machinery.

The agent concludes by stating that the planning obligation has outlived its usefulness, and accordingly no longer serves any intended use.

## **PLANNING POLICY**

In the context of the current development control policy framework the most relevant planning policy is Policy GP3 (Planning Obligations) of the adopted Carmarthenshire Local Development Plan Adopted December 2014. This states that the Council, where necessary seek developers to enter into Planning Obligations (Section 106 Agreements)...to meet requirements arising from new developments.”

Whilst there is nothing specific in the policy relating to proposals for modifications to existing legal agreements, the policy states that obligations should be necessary, reasonable and relevant to the development of the site from a planning perspective.

For specific guidance on modifications to legal agreements, the policy test is outlined in Annex C (Welsh Office) Circular 13/97 relating to Planning Obligations.

Annex C6 states ‘Section 106A (6) provides that an authority which receives an application for modification or discharge of a planning obligation may determine it by refusing it; or, if the obligation no longer serves any useful purpose, by discharging it, or, if the obligation would serve a useful purpose equally well with the modifications specified by the applicant, by consenting to the modifications sought. The Department considers that the expression “no longer serves any useful purpose” should be understood in land use planning terms. Thus, if an obligation's only remaining purpose is to meet some non-planning objective it will generally be reasonable to discharge it’.

## **ASSESSMENT**

Applications for replacement dwellings in the countryside will normally involve the demolition of redundant/sub-standard dwellings before the construction or occupation of the replacement house. This would normally be secured by a planning condition. In this instance the replacement bungalow was distant from the original farmhouse and outside of the application site, therefore its future use was secured by the legal agreement and required to be used for storage. Therefore there is a presumption that the dwelling being replaced should cease its residential function. To continue the residential function would be tantamount to a further dwelling in the countryside without any justification and against open countryside policy.

Having regard to the above policy test outlined in Circular 13/97 and the case presented by the applicant, it is arguable that whilst the farmhouse may not be capable of fulfilling the storage requirements under the terms of the agreement the purpose of the agreement in land use planning terms was to prevent the farmhouse being used for residential occupation as a replacement farmhouse was to be provided instead. It is clear from the agreement that the new dwelling was being referred to as a replacement farmhouse so there was no policy justification at the time for retaining the existing farmhouse. With the replacement dwelling having been constructed some 18 years ago in open countryside outside development limits and 90 metres from the curtilage of the previous farmhouse there would still be little evidence in land use planning terms to justify the lifting of the covenant. Therefore it is considered the legal agreement relating to W/02153 still meets a planning objective.

The consequences of removing the covenant would be against the original intentions of the replacement dwelling policy. Allowing the modification as proposed, would set an undesirable precedent and this decision could be used to justify the removal of similar covenants relating to replaced dwellings elsewhere in the county. Members are therefore advised to refuse the modification proposed.

The applicant's argument that the former farmhouse is impractical for storage is noted, however, little evidence has been put forward to show what attempt have been made to modify the structure for storage purposes i.e. remove internal partitions, widening of door and window openings etc.

### **THIRD PARTY REPRESENTATIONS**

There have been no third party representations.

### **CONCLUSION**

After careful consideration of the justification for the modification to the legal agreement against the test outlined in Circular 13/97, it is considered that to take out the covenant restricting the former farmhouse to storage use would remove the land use planning objective of the legal agreement i.e. to cease the use of the original farmhouse for residential purposes. The modification to the legal agreement is refused.

### **RECOMMENDATION – REFUSAL**

#### **REASONS**

- 1 The proposed modification to the legal agreement relating to W/02153 in removing the covenant restricting the redundant farmhouse to storage use, is contrary to Section C6 of Annex C of Circular 13/97 (Welsh Office):-

**C6 Section 106A (6) provides that an authority which receives an application for modification or discharge of a planning obligation may determine it by refusing it; or, if the obligation no longer serves any useful purpose, by discharging it, or, if the obligation would serve a useful purpose equally well with the modifications specified by the applicant, by consenting to the modifications sought. The Department considers that the expression “no longer serves any useful purpose” should be understood in land use planning terms. Thus, if an obligation's only**

**remaining purpose is to meet some non-planning objective it will generally be reasonable to discharge it'.**

In that it will remove a covenant within the legal agreement that ensures the original dwelling's residential use is rescinded and therefore in keeping with the original and current policy intentions for replacement dwellings in the countryside. The legal agreement still serves a useful purpose in land use planning terms thus complying with the circular.

<b>Application No</b>	<b>W/37267</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	ERECTION OF 2.NO 3 BED DWELLINGS (1 AFFORDABLE, 1 OPEN MARKET) AT LAND ADJACENT TO LLYS BRIALLU, SARNAU, BANCYFELIN, SA33 5EA

<b>Applicant(s)</b>	MR D THOMAS, PONTCOWIN, BANCYFELIN, ST CLEARS, SA33 5NB
<b>Agent</b>	HARRIES PLANNING DESIGN MANAGEMENT - WYN HARRIES, HENLLAN, EGLWYSWRW, PEMBROKESHIRE, SA41 3UP
<b>Case Officer</b>	Stephen Thomas
<b>Ward</b>	Cynwyl Elfed
<b>Date of validation</b>	18/05/2018

## CONSULTATIONS

**Head of Highways and Transport** – Has concerns over visibility standards at the location of the proposed access from the site in a westerly direction. There is also concern with regard to forward visibility for vehicles travelling eastbound on the approach to the site for the proposed indicative access.

Finally, concern that the proposed development is contrary to Policy TR3, paragraphs a, b and e. Bus stops are located some 200 metres east of the site, however, there is a lack of pedestrian facilities linking the site to these, where the closest footway is located some 125 metres east of the site. Further to this the settlement of Bancyfelin is 800 metres to the west and the closest footway some 600 metres. The development will therefore result in increased pedestrian movements in the carriageway where vehicle speeds are currently high.

**Newchurch & Merthyr Community Council** – No objection to the application but highlighted the following points:-

- The development should be sympathetic to the existing properties in the area;
- All buildings should follow the existing building line;
- The speed and volume of traffic on the highway fronting the development with consideration given to reducing the speed limit due to the increase in the volume of traffic following developments in Bancyfelin village, increase in traffic generally and the use of this road as a diversion to the A40 in emergency;

- The lack of provision for pedestrians from the Sarnau hamlet to Bancyfelin village with consideration given to construction of footpath/pavement to join the existing pavement to Sarnau to the pavement at Bancyfelin;
- A requirement to improve provision for pedestrians under the railway bridge between the hamlet and the village due to increased traffic and pedestrian usage.

**Local Member** - County Councillor Irfon Jones has requested that the application be presented to the Planning Committee due to the number of objections to the proposal.

**Natural Resources Wales** – No objections to the proposed development.

**Neighbours/ Public** – The original application as submitted was publicised by the posting of a public notice close to the highway access to the application site. In response, the Authority had received letters of concern from four neighbouring homes and a petition with twenty names. These representations raised the following issues:-

- The petition raised the issue over the lack of pedestrian facilities between the hamlet of ‘Sarnau’ and the nearest village of Bancyfelin, where the speed limit is the national speed limit on a road where there is continuous traffic.
- Three of the letters are in relation to a private right of way through the application site to the rear of their properties to allow emptying of septic tanks/cess pits.
- The remaining letter is from the occupiers of a neighbouring property and concerns are expressed in relation to a number of issues that include:
  - (i) The submitted plans show the proposed dwellings respecting the existing ‘building line’, but the garages are shown as being in front of that building line. Would there be a possibility of the proposed garages being relocated alongside the proposed dwellings therefore respecting the building line?
  - (ii) Requests assurances that the proposed soakaways for the properties are adequate for the location and will be efficient, due to existing problems experienced during heavy rainfall where there is standing water.
  - (iii) There is no mains sewerage system in the area. No septic tanks are shown on the outline plans. There are existing septic tanks to the rear of the application site for properties in the street.
  - (iv) The application states that the services in Bancyfelin are within easy walking distance of the proposed properties. The representation highlights that the highway is the subject of the national speed limit and is a busy road with continuous traffic accessing the facilities in Bancyfelin, with the further development of the village likely to increase traffic flows
  - (v) The application states that “proposed footway along the frontage of the plot will aid in linking up local infrastructure”. The representation states that the plot is 1km away from Bancyfelin village where there is no safe footway and no plans for a link.
  - (vi) There is currently a bend in the road that causes reduced visibility conditions at the access.

- (vii) Questions the location of the affordable dwelling and the mechanism for ensuring that it is safeguarded for the future.
- (viii) The representation questions the method of giving publicity to the application as the neighbouring property did not receive a letter of notification.

The application was subsequently amended to take into consideration some of the issues raised in the submitted representations. The application was again publicised in the same way. There were no further representations received.

## **RELEVANT PLANNING HISTORY**

The following relevant planning application has previously been received on the application site:-

W/35313	Erection of two dwellings (one affordable and one open market) Withdrawn	19 May 2017
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## **APPRAISAL**

### **THE SITE**

The application site is located in the south western corner of a field that fronts on to the former A40 trunk road, now known as the C2042. The application site itself is sited on the western fringe of a row of houses known locally as 'Sarnau'. The site itself is fairly level to the highway and is currently under pasture with a hedgebank to the highway to its south and the boundary to the east with 'Llys Briallu'. The application site boundaries to the west and to the north are currently open.

The application site is roughly rectangular, but narrows towards the rear northern boundary. It measures approximately 44 metres along the roadside southern boundary and approximately 35 metres along its northern boundary to the remainder of the field. The site measures approximately 50 metres along its western boundary and approximately 48 metres along its eastern boundary with Llys Briallu. To its east there is an existing ribbon of dwellings that are mainly detached properties, however, further east there are a pair of semi-detached dwellings and a terrace of five dwellings.

To the west of the application site is the remainder of the field with a further agricultural field beyond.

Although the site is located attached to the western end of the existing row of dwellings known locally as 'Sarnau' The site is not adjacent to a settlement that is recognized as a Sustainable Community in the adopted Carmarthenshire Local Development Plan. It is therefore considered that the application site is located in an open countryside location.

### **THE PROPOSAL**

The application seeks outline planning permission for the erection of 2 no. 3 bed dwellings (1 Affordable, 1 Open Market) on the application site, with all matters of detail reserved for future consideration. The proposed dwellings is to have three bedrooms, as the application

describes. As required of outline applications scale parameters have been provided for the proposed dwellings:-

Height 7 – 9 metres;  
Width 9 – 13 metres;  
Length 10 – 15 metres.

In accordance with the requirements for the validation of outline planning applications, where layout is a reserved matter, the application must state the approximate location of buildings, routes and open spaces included in the development proposed. Accompanying the application is an indicative block plan showing the location of the proposed dwellings, together with access route and open space within the site. Where access is a reserved matter, the application must state the area where access points to the development proposed will be situated. The submitted block plan shows access points to both properties at approximately the mid-point along the frontage of the application site.

The application is also supported by a Support Statement and a Local Needs Statement.

## **PLANNING POLICY**

The application site, as previously mentioned, is located in open countryside and therefore there is a general presumption against new dwellings in such locations, unless exceptional circumstances can be demonstrated. Such exceptional circumstances usually include providing accommodation for rural enterprise workers e.g. agriculture or forestry as well as those to meet genuine local needs at a location within hamlets or a group of dwellings.

Since one of the proposed dwellings on this site is for an open market dwelling, there are no specific relevant policies within the adopted County Local Development Plan that deal with dwellings in open countryside locations, however, in order to allow discussions over the merits of this case the following policies of the Carmarthenshire Local Development Plan are considered relevant to the proposal as well as those other relevant Welsh Government Guidance.

Policy SP1 – Sustainable Places and Spaces stipulates that proposals for development will be supported where they reflect sustainable development and design principles by concentrating developments within defined settlements, making efficient use of previously developed land, ensuring developments positively integrate with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure.

Policy SP3 – Sustainable Distribution Settlement Framework seeks to concentrate development in sustainable locations within existing defined settlements such as identified growth areas, service centres, local service centres and other defined sustainable communities.

Policy GP1 – Sustainability and High Quality Design is a general policy that promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing.

Other Welsh Government Guidance of relevance include:-

Planning Policy Wales (9th Edition) November 2016 (PPW)

Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010)

Technical Advice Note 12 (TAN 12: Design (2014)

The other dwelling proposed in the application is for an affordable dwelling there is an additional policy that is relevant, which is Policy AH3 of the Carmarthenshire Local Development Plan.

Policy AH3 – Affordable Housing – Minor Settlement in the Open Countryside allows for proposals in the open countryside for affordable housing for a single dwelling within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need and provided that it complies with a number of criteria that are included within the Policy.

## **APPRAISAL**

In considering this proposal there are a number of policies that are common to both the proposed open market dwelling and the proposed affordable dwelling since the location of both are in the open countryside.

The key considerations of relevance to this case are whether the proposal complies with the requirements of Planning Policy Wales (PPW) (9th edition) and Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN6), in terms of dwellings in open countryside, outside the defined development limits of any recognized settlements and its impact upon the character and appearance of the area.

In terms of PPW new houses in the countryside, away from existing settlements or from areas allocated for development must be strictly controlled in order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services. Specifically paragraph 9.2.22 states:

“In planning for housing in rural areas it is important to recognize that development in the countryside should embody sustainability principles, benefitting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognizing the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognized in development plans or from other areas allocated for development, must be strictly controlled.....”

Furthermore, paragraph 9.3.6 of PPW also discusses that new housing in the open countryside should be strictly controlled and under what exceptional circumstances rural dwellings may be considered. It states:

“New House building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be obtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area. Isolated new houses in the open countryside require special justification, for example

where they are essential to enable rural enterprise workers to live at or close to their place of work in the absence of nearby accommodation. All applications for new rural enterprise dwellings should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access....”

TAN6 further reinforces these principles where it states in paragraph 4.3.1:

“One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.”

The application site is located in an open countryside location, outside the defined development limits of any recognized settlement. Therefore, the policy is to strictly control the construction of new dwellings in such a location, unless there are exceptional circumstances, well supported by robust evidence that stands up to scrutiny. In this case the proposal for the affordable dwelling will be considered under Policy AH3 as mentioned previously and will be assessed in following paragraphs. The only justification given for the open market dwelling in the supporting statement is that it will serve two purposes in that it is required to cross subsidise the affordable unit and is also a mechanism to deliver much needed housing to remedy the shortfall in housing supply in the plan area. The support statement states that in the Joint Housing Land Availability Study Carmarthenshire identifies a 4.2 year supply of housing land (August 2016), where there is a requirement to provide a 5 year supply of housing land. This is identified in the Support Statement as representing a significant shortfall in the supply of housing land, which should be material in any decision.

The issue here is the balance of whether these material considerations should override the policy considerations. In the case of the open market dwelling it is considered that the weight of the material considerations is not sufficient to overrule the policy reflecting the need to strictly control developments in open countryside.

In respect of the proposed affordable dwelling the proposal needs to be considered on the basis of the provisions of Policy AH3. The Policy allows for the provision in the open countryside for affordable housing for a single dwelling within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need and provided that it complies with a number of identified criteria. The proposed affordable dwelling is to be located adjacent to a group of dwellings that are locally known as ‘Sarnau’, which is not recognized as a settlement within the Carmarthenshire Local Development Plan and does not have Development Limits. The submitted Local Needs Statement demonstrates that the proposed occupants of the affordable dwelling qualify under the Local Plan’s definition of a local need. This is due to the occupiers’ long-standing link with the community and their having a proven functional need to live close to their place of work. Furthermore the proposed occupants have carried out a property search for properties within the Bancyfelin and St Clears area. It is stated that the proposed occupants are not able to afford the asking price or crucially raise the requisite deposit required to attain

a mortgage leaving the construction of a self-build local needs dwelling the only viable option.

Turning to the criteria included within Policy AH3, the proposed affordable dwelling represents a minor extension to the group of dwellings, however, it does result in perpetuate existing ribbon development, in that the existing group of dwellings stretch out along the highway in a ribbon formation. It is therefore considered that the proposal fails to comply with the first criterion within the Policy.

In terms of scale, it is difficult to determine whether the proposal represents a development of a scale and size appropriate to, and in keeping with the character of the area since it is in outline form only. In terms of scale the parameters given are wide in that the footprint of the dwelling could vary between 90 square meters and 195 square meters. This could mean that a two storey dwelling may be compatible with the character of other dwellings within the cluster.

The dwelling's affordability could be retained for all subsequent occupants via the utilization of a Section 106 Agreement, stating the intended purpose.

Since the application has been submitted in outline form it is difficult to determine that the scale and design of the dwelling is compatible with an affordable dwelling as insufficient information is submitted to enable that determination to take place.

For the above considered reasons the proposed dwellings should not be supported and the recommendation is that the application be refused.

### **THIRD PARTY REPRESENTATIONS**

In this case there are no issues of objection that have been raised by third parties in respect of the planning application however, there are issues that have been raised in terms of civil matters that cannot be considered in the determination of this application such as the right of way to empty the septic tanks for existing properties.

The issue of the distance to the nearest settlement with facilities is material to this case, particularly the possibility of conflict between fast moving traffic and pedestrians in the highway due to the lack of a footway linking the site to Bancyfelin, where the primary school is located. It is therefore considered that the proposal represents an unsustainable form of development that would encourage the increased use of the car and discourage the use of a more sustainable form of transport.

The issue of the building line has been overcome in the form of an amended plan that was the subject of further publicity, which resulted in none of the letters of concern being repeated.

In respect to foul water and surface water drainage, these are matters that can be dealt with in any reserved matters application and conditions should the application be granted outline planning permission.

### **CONCLUSION**

Therefore, having carefully considered the application as submitted, the proposed open market dwelling, by reason of its location, fundamentally conflicts with the advice set out in

PPW and insufficient justification has been provided to permit the dwelling as an exception to these policies. Furthermore, it is considered that the proposed affordable dwelling, whilst identifying an apparent genuine local need, fails to conform to some of the criteria within policy AH3 both in terms of location and scale.

It is not considered in this instance that material planning considerations outweigh these concerns and therefore it is recommended that the application be refused for the following reasons.

## RECOMMENDATION – REFUSAL

### REASONS

- 1 The proposal is contrary to paragraph 9.2.22 of Planning Policy Wales (Edition 9, November 2016) which states:-

**9.2.22 In planning for housing in rural areas it is important to recognise that development in the countryside should embody sustainability principles, benefiting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognising the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. Many parts of the countryside have isolated groups of dwellings. Sensitive filling in of small gaps, or minor extensions to such groups, in particular for affordable housing to meet local need, may be acceptable, but much depends upon the character of the surroundings, the pattern of development in the area and the accessibility to main towns and villages.**

In that the development site is located outside the defined settlement limits of any recognised settlement where new house building should be strictly controlled. Insufficient justification has been provided to support the case for an affordable dwelling and an open market dwelling in such a location. Therefore, the proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area and will perpetuate existing ribbon development.

- 2 The proposal is contrary to paragraphs 9.3.6 of Planning Policy Wales (9th edition, November 2016) which state:-

**9.3.6 New house building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be unobtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area. Isolated new houses in the open countryside require special justification, for example where they are essential to enable rural enterprise workers to live at or close to their**

**place of work in the absence of nearby accommodation. All applications for new rural enterprise dwellings<sup>19</sup> should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access. Local planning authorities should follow the guidance in TAN 6 with regard to the requirements for rural enterprise dwelling appraisals.**

In that the development site is not located within a recognised settlement and therefore in the open countryside where new house building should be strictly controlled. Insufficient justification has been provided to support the case for an affordable dwelling and an open market dwelling in such a location. Therefore, the proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 3 The proposal is contrary to paragraph 4.3.1 of Planning Policy Wales Technical Advice Note 6: Planning for Sustainable Rural Communities, which states:-

**4.3.1 One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any of the individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.**

In that the development site is located in the open countryside where new house building is strictly controlled. Insufficient evidence has accompanied the application justify a dwelling in such a location in accordance with the requirements of Policy AH3 of the Carmarthenshire Local Development Plan. Therefore, the proposal represents a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 4 The proposal is contrary to Policy AH3 “Affordable Housing – Minor Settlement in the Open Countryside” of the Carmarthenshire Local Development Plan, which states:-

**Policy AH3 Affordable Housing – Minor Settlement in the Open Countryside**

**Proposals in the open countryside for affordable housing for a single dwelling will be permitted within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:**

- a. **It represents sensitive infill development of a small gap within an otherwise continuous built up frontage; or, a minor extension which**

**does not result in ribbon development or perpetuate existing ribbon development;**

- b. It is of a scale and size appropriate to, and in keeping with (and not detrimental to) the character (including landscape and townscape) of the area;**
- c. The benefits of the initial affordability will be retained for all subsequent occupants;**
- d. It is of a size, scale and design compatible with an affordable dwelling and is available to those on low or moderate incomes.**

In that the development site is located in the open countryside where new house building is strictly controlled. It is considered that the proposed affordable dwelling is unjustified in its proposed location due to it resulting in perpetuating existing ribbon development and that insufficient information has been provided to show that it is of a size, scale and design compatible with an affordable dwelling.

- 5 The proposal is contrary to Policy TR3 “Highways in Developments – Design Considerations” of the Carmarthenshire Local Development Plan, which states:-

#### **Policy TR3 Highways in Developments - Design Considerations**

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

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

**Proposals which do not generate unacceptable levels of traffic on the surrounding road network and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.**

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

In that the development does not provide for an integrated network of convenient and safe pedestrian route which promotes the interests of pedestrians, cyclists and public transport; it does not include suitable provision for access by public transport; nor does it provide an access to the required standards reflective of the relevant Class of road and speed restrictions including visibility splays. Bus stops are located some 200 metres east of the site, however, there is a lack of pedestrian facilities linking the site to these, where the closest footway is located some 125 metres east of the site. Further to this the settlement of Bancyfelin is 800 metres to the west and the closest footway some 600 metres. The development will therefore result in increased pedestrian movements in the carriageway where vehicle speeds are currently high, to the detriment of highway safety.

**ADDITIONAL ITEMS**

<b>Application No</b>	<b>W/35898</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF COMMERCIAL GARAGE/WORKSHOP FOR SARNAU MOTORS AT FIELD ADJ HAFOD BAKERY, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN

<b>Applicant(s)</b>	MRS MAIR JONES, LLYS Y COED, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DZ
<b>Agent</b>	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Cynwyl Elfed
<b>Date of validation</b>	27/07/2017

The determination of this application was initially deferred at the Planning Committee on 15<sup>th</sup> November 2018 for a site visit that took place on 27<sup>th</sup> November 2018. At the subsequent Planning Committee meeting on 27<sup>th</sup> November, Members resolved to overturn the Officer's recommendation for refusal and grant planning permission for the proposed development, with a list of appropriate conditions to be returned to the Committee for ratification.

The following conditions, which reflect the observations of the Head of Transport and Head of Public Protection received in response to the application, along with need to secure suitable landscaping and drainage, are deemed appropriate to be imposed on the planning permission and are put forward for the Committee's consideration.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby approved 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, unless otherwise stipulated by conditions:-
- 1:1250 scale Location Plan received 12<sup>th</sup> October 2018;
  - 1:500 scale Block Plan received 12<sup>th</sup> October 2018;
  - 1:500 scale Access Visibility Splays received 15<sup>th</sup> August 2018;
  - 1:100 scale Proposed Garage Elevations and Floor Plan received 2<sup>nd</sup> May 2018;
  - 1:2500 scale Land Ownership Plan received 6<sup>th</sup> October 2017;
  - 1:100 scale Proposed Elevations received 27<sup>th</sup> July 2017;
  - 1:500 scale Section Through Existing Field & Section Y-Y received 27<sup>th</sup> July 2017;
  - 1:100 scale Proposed Ground Floor Plans and Section received 27<sup>th</sup> July 2017;
- 3 No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be kept and set out measures for their protection throughout the course of development.
- The landscaping scheme shall also provide details (including a method statement) of the required translocation of the hedgerow behind the line if the access visibility splay along with details of the proposed landscaping along the side (west) and rear (north) boundaries.
- 4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5 Prior to its use by vehicular traffic, the new access shall be laid out and constructed with 7.3 metre carriageway, and 10.0 metre kerbed radii at the junction with the C2081 road.
- 6 Any access gates shall be set back a minimum distance of 10.0 metres from the highway boundary, and shall open inwards into the site only.
- 7 The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 10 metres from the edge of the carriageway.
- 8 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 169 metres shall be formed and thereafter retained in perpetuity, to the west side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.
- 9 Prior to any use of the access by vehicular traffic, a visibility splay of access metres x 185 metres shall be formed and thereafter retained in perpetuity, to the east side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.
- 10 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.

- 11 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 12 The access shall be hard surfaced in a bonded material for a minimum distance of 10.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
- 13 No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first commercial use of the development and retained in perpetuity.
- 14 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.
- 15 If the authority receives a justified complaint with respect to the development, 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 14 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Condition 14 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in condition 14. The development shall then be undertaken in accordance with the approved details

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To define the extent of the permission.
- 3-4 In the interest of visual amenity.
- 5-12 In the interest of highway safety.
- 13 To secure the provision of an appropriate drainage strategy.
- 14-15 In the interest of the amenities of the occupiers of the nearby residential properties.

## NOTES

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

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

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

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

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