

**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 27 MEHEFIN 2019  
ON 27 JUNE 2019**

**I'W BENDERFYNU/  
FOR DECISION**

***Ardal Del/  
Area South***



**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>27 JUNE 2019</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA SOUTH**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>
<b>S/37227</b>	The drying and storing of willow crop from the adjoining forestry land. Excavation and removal of unauthorised areas of hardstanding, retaining only that which is the minimum sufficient to provide vehicular access to the building. Improvement to the access on to the public highway, and the implementation of a surface water drainage strategy including the formation of a new attenuation pond and connective drainage runs at land at Grugos Wood, Llannon, Llanelli, SA14 8JH
<b>S/37727</b>	Construct new single storey warehousing block along with building a second storey extension above the existing office area with associated works to the car park and facade and perimeter fencing (total proposed area - 800 sq metres) at CK's Stores, Embankment Road, Llanelli, SA15 2BT
<b>S/38544</b>	Construction of 17 no. dwellinghouses, estate road and associated infrastructure (revision of site layout and house type details approved under planning permission S/27674) at land at Parc Gwernen, Fforestfach, Tycroes, Ammanford, SA18 3PR
<b>S/38564</b>	Extension of existing storage building to convert this into a place of worship. Demolition of existing building formerly used as an auction house. Upgrading existing car parking area and drainage for proposed use at 2 Carmarthen Road, Cross Hands, Llanelli, SA14 6SP
<b>S/38665</b>	New dwelling with off street parking at land adjacent to 9 Trebuan, Felinfoel, Llanelli, SA15 4LH

**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>S/37227</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	THE DRYING AND STORING OF WILLOW CROP FROM THE ADJOINING FORESTRY LAND. EXCAVATION AND REMOVAL OF UNAUTHORISED AREAS OF HARDSTANDING, RETAINING ONLY THAT WHICH IS THE MINIMUM SUFFICIENT TO PROVIDE VEHICULAR ACCESS TO THE BUILDING. IMPROVEMENT TO THE ACCESS ON TO THE PUBLIC HIGHWAY, AND THE IMPLEMENTATION OF A SURFACE WATER DRAINAGE STRATEGY INCLUDING THE FORMATION OF A NEW ATTENUATION POND AND CONNECTIVE DRAINAGE RUNS AT LAND AT GRUGOS WOOD, LLANNON, LLANELLI, SA14 8JH

<b>Applicant(s)</b>	MR CARWYN MORGAN, WAUNGRECHYDD, SA15 4RT
<b>Agent</b>	SAURO ARCHITECTURAL DESIGN LTD - MR PETER SAURO, 9 ELLISTON TERRACE, CARMARTHEN, SA311HA
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llannon
<b>Date of validation</b>	11/05/2018

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

## Site

The application site is a 0.2 ha parcel of land approximately 650m to the South West of Llwynteg. Llwynteg is characterised by a scattering of individual houses in the open countryside which forms a loose hamlet approximately 1.2km to the East of Llannon. The site was formerly part of the Cwmhowell estate, however is now in separate ownership.

The application site edged red includes the access from the county road, the track leading to a forestry building, the area of hard standing immediately around the building, and an area of unauthorised hardstanding that is proposed to be removed, along with the surface water system.

The rest of the land within the applicant's ownership (referred to as the wider land) has traditionally been used for forestry with commercial crop planting attempted, but is understood to have failed due to ground conditions. The furrowed hallmarks of the commercial plantation are evident on Arial photos. The land is underlain with peat so is wet in nature. The site has been a candidate SSSI for some time, however NRW has never formally designated it. It is understood that a forestry EIA would be required in order to replant the land, however the licencing regime is outside the realms of planning as it is controlled by NRW.

Planning permission was granted in 1983 for the controlled tipping of material on the wider land in the applicant's ownership. The only point of access onto a public road was the location now proposed to be retained as part of this application site as the rest of the land was land locked. The principle of an access for larger vehicles has therefore been accepted previously. It should be noted however that this permission was not implemented as the applicant, Llanelli Borough Council, found an alternative site for the controlled tipping. The wider peat land (outside the application site) has been used for forestry and bears the hallmarks of its traditional use. The site is understood to be underlain with peat and forms a lowland fell on the habitat classification maps. The site and its wider context is a candidate SSSI however is not designated for any ecological reasons on a local or national level.

A notification was received in 2016 for the erection of a forestry building. The applicant's stated intention at the time was the commercial growing of trees, namely the establishment of a Christmas tree growing rural enterprise. The building was considered reasonable for forestry purposes, for the keeping of machinery and equipment along with the preparation and storage of the Christmas Trees ready for sale. It was therefore considered that prior approval was not required for the building. It was noted that there were only two dwellings within 500m of the building, Llwyn Tew at approximately 150m and Llwyn yr Eos at approximately 315m so the siting of the agricultural building was not considered likely to have amenity implications. Access at the time was via an existing gate and track through an area of overgrown woodland. There was no indication of a new track or hardstanding in the notification so it was assumed that the existing gate and track would serve the building. The building is on the proposed retained area of hardstanding so is within the application site, however it is considered that the notification established that planning permission was not required for the building as it was considered permitted development for forestry purposes. The building itself is not therefore under consideration as part of this application.

Subsequent to the notification, land was subject to the deposition of hard core material to form a hard standing along with the widening of the access and formation of a formal track into the site, hence the retrospective application to retain the access and hardstanding which was not covered by the notification.

An application (S/34438) was submitted and refused in 2016 for the retention of the access and hardstanding on the following grounds.

- (i) The hard standing is excessive and unjustified to serve the forestry building which was subject to notification (S/33871) to the detriment of the character and amenity of the open countryside.
- (ii) The hard standing of this scale is detrimental to the biodiversity of the site given its habitat status as a lowland fen.

- (iii) The hard standing of this scale is detrimental to the hydrology of the site given the nature of the lowland fen and surface water issues evident.

A further application (S/35699) for retention of the access and hardstanding was submitted in 2017 and refused on lack of information as follows:-

- (i) There is a lack of information to demonstrate that the hard standing and surface water system as proposed is not detrimental to the biodiversity of the site given its habitat status as a lowland fen.
- (ii) There is lack of information in respect of the proposed hydrology of the site given the nature of the lowland fen and surface water issues evident.
- (iii) There is a lack of information in respect of potential contamination of the hydrological regime from the tipping of material on the site.
- (iv) There is a lack of information in respect of the traffic generated by the forestry use of the site in terms of potential customers for the proposed Christmas tree enterprise and the adequacy of the access and hard standing to accommodate the traffic.
- (v) Insufficient information has been submitted to confirm that surface water can be addressed in an appropriate manner without causing detriment to any third party property and highway safety.
- (vi) Insufficient information has been submitted to demonstrate that the removal of material and formation of the attenuation pond as proposed can be achieved to minimise the damage to the peat habitat which underlies the unauthorised material.

The refusal was subject to appeal which was dismissed on the grounds that the Inspector agreed that there was insufficient information to demonstrate that the proposal would not have an unacceptable adverse impact. The applicant was advised that any further applications would have to be materially different or it would not be considered.

## **Proposal**

The application seeks the drying and storage of biomass produced on the wider land, and retention of an access and hardstanding to serve a forestry building which was subject to a forestry notification under S/33871. The proposal is materially different in that the only hardstanding retained is the minimum to allow access to and around the building and provide turning facilities. The application also has an amended surface water scheme with an attenuation sump to the north east of the building rather than south west to address previous third party concerns.

The applicant has changed the stated purpose of the site and building. Having acquired a local joinery, the company is seeking to use the wider land (outside the application site) for willow coppicing which requires wet conditions, to provide biomass for the drying of timber at the joinery. The building (within the application site but outside the scope of the application) is proposed for the drying and storage of the biomass which is considered to be a forestry use in accordance with the notification. The growing of trees and storage of timber from the wider land are not subject of this application.

In terms of the application site, the applicant has deposited a significant amount of material on wet peat / wooded land to form an improved access and hardstanding which is proposed to be retained in a reduced form. Some removal has already taken place, however much of the unauthorised engineering works remain in situ. After discussion, the applicant proposes to reduce the hard standing to the minimum which is necessary to provide an access and turning area to serve the building so the area which is now evident is proposed to be reduced.

In terms of drainage, since the last application, to address third party concerns, the applicant has proposed an amended surface water system with attenuation pond to the north east of the building rather than south west, which is proposed to collect surface water and drain the site to an existing water course at a controlled rate. The scheme has established that the hardstanding is porous and a degree of water would percolate to the underlying hydrology so would remain as it was prior to the deposition of material. Any excess water from the access road is proposed to be diverted to the attenuation system at two points of interception and any remaining water being intercepted before the highway and diverted into an existing ditch which enters the surface water culvert crossing the road. There are therefore 3 means of intercepting surface water from the access track so it does not enter the road. A drainage report has been submitted and scrutinised by the County drainage engineers who have no objection.

Access is proposed to be retained as built, with the proposed addition of drainage, which is an improvement over the original gateway which was evident when the building was subject to a notification. The access gates are set back off the road which would allow vehicles to leave the road safely before opening the gates to access the site. The access includes improved visibility and drainage compared with the original gateway. The applicant has confirmed that there would be no public access to the site.

The application provides ecological information which assumes presence of dormice, and seeks to demonstrate that the favourable conservation status would not be harmed.

## Planning Site History

S/35699	Retrospective application for widening of existing access, creation of track and hardstanding in front of steel framed forestry building, creation of surface water attenuation pond and removal of unauthorised fill material. (Resubmission of S/34438 Refused 17/11/2016.) Full planning refused Appeal Dismissed	17 August 2017 11 July 2018
S/34438	Retrospective application for widening of existing access & track with hard standing in front of steel framed building Full planning refused	16 November 2016
S/33871	Proposed building Prior Notification - PP not required	08 June 2016
D5/7148	Controlled tipping of refuse Full planning permission	12 December 1983

# Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces  
SP2 Climate Change  
SP14 Protection and Enhancement of the Natural Environment  
GP1 Sustainability and High Quality Design  
EQ3 Regional and Local Designations  
EQ4 Biodiversity  
EQ7 Development within the Caeau Mynydd Mawr SPG Area  
EP2 Pollution  
EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** - Had queries on the original submission, however after clarification that there is no general public access, has no objection to the scheme subject to the imposition of appropriate conditions.

**Head of Technical Services (Drainage)** – Has no objection to the revised scheme.

**Head of Public Protection** -

**Air Quality** - Has no objections to the proposal, however states that if timber processing is proposed, a permit may be required under Environmental Permitting (England and Wales) Regulations 2016 (as amended).

**Noise** – Has no objection subject to the imposition of a condition regarding construction times.

**Contaminated Land** – Has no adverse comments.

**Llannon Community Council** – Has the following observations:-

- It is noted that the application includes reference to works which are currently the basis of a previous refusal on appeal for planning consent and for which enforcement action is being prosecuted by the Council. Llannon Council is of the opinion that all works required to be completed to comply with the enforcement action should be excluded from any consent granted against this application.
- Members of the Council expressed concerns regarding the impact of the development on the drainage of this area and the potential flooding problems. Also, concern was expressed regarding the potential contamination of water courses in the area.

- As this area consists of a peat bog, it is felt that this habitat should be preserved and concern was expressed on the impact of the proposal on the local ecology.

**Local Member** - Councillor E Dole objects to the scheme and has requested that the application be reported to Planning Committee if recommended for approval. Councillor D Jones is a member of the Planning Committee and has made no prior comment.

**Natural Resources Wales** – Has no objection, however provides advice regarding afforestation (outside the application site) and concur with the conclusions of the ecological report that the surface water pond is not likely to have an adverse effect on the favourable conservation status of dormice.

**Wildlife Trust of South and West Wales** – Has concern regarding species especially dormice and fen habitat.

All representations can be viewed in full on our [website](#).

## Summary of Public Representations

The application was the subject of notification by way of site notices on initial submission and re-consultation on receipt of amended details.

61No. representations were received (including 2No. from the local MP) objecting and the matters raised are summarised as follows:-

- Principle of the application.
- Recent appeal has been dismissed. No change from what the Inspector considered.
- Ground conditions.
  - The land is classed as deep bog.
  - Previous owner surveyed the site and there is 9m of peat (1.5m cubic metres).
  - The land should be restored to peat bog.
- Intentions of the applicant. Reference to unlawful existing premises.
- Land has been raised without planning.
- Ecology.
  - Loss of hedgerow – impact on dormice.
  - Loss of trees in nesting season.
  - Adj to Rhos Cefn Bryn nature reserve with dormice, Marsh Fritillary Butterflies, Adders, etc. Loss of dormouse habitat.
  - Lack of Environmental Impact Assessment.
  - You can't plant trees on peat bogs.
- Use of building.
  - It has been erected in advance of planting licence.
  - It will be used for commercial manufacturing purposes.
  - There are industrial estates more suitable for the use.
  - Barn should not be deemed permitted development.

- Highway safety.
  - Insufficient visibility at entrance and crossroads.
  - Nature/size of vehicles proposed.
  - Use of single track lane.
  - Impact on horse riders & cyclists.
- Surface water.
  - History of flooding on highway – not solved by recent alterations.
  - Pond will fill and overflow.
  - The submitted drainage report and resultant scheme is inadequate.
  - Contamination of water courses.
  - The road would be dangerous in the ice.
- Hard standing.
  - Potentially contaminated fill material – asbestos, cables, glass & plastic used not clean stone as stated. Needs to be removed.
  - Surface water from hard standing flows onto the highway.
  - Evidence contradicts the tipping paperwork submitted.
- No tree planting licence has been obtained and no licence will be granted on peat.
- Queries over whether the proposal has a sprinkler system and fire management plan?

All representations can be viewed in full on our [website](#).

## Appraisal

The material planning considerations are set out below.

### Principle of the application

The principle of a third application after two refusals and an appeal dismissal has been raised by one Local Member and third parties. The appeal Inspector opined that there was a lack of information submitted and that the original scheme had some fundamental questions in terms of impact on the environment that had not been adequately addressed. The applicant has therefore amended the scheme in terms of the amount of hardstanding proposed to be retained, and the location and nature of the surface water drainage system, so it is considered to be materially different from previous applications, and has been in discussion with the Local Planning Authority and Natural Resources Wales. It is now considered that there is sufficient information to make an informed decision.

### Biodiversity Impacts

The nature of the site as a candidate SSSI and presumed presence of dormice is noted. However the competent authority for both matters is NRW and they have been consulted on the proposal. In respect of the status of the land, this is not relevant to this application as the amount of hard standing is being reduced significantly to that required for access and turning. The wider land is outside the application site and therefore is not subject to this proposal. In respect of the application site, the submission states that the peat environment will recover from the deposition of material and the remaining part is relatively

small compared with the wider site and is reasonably related to the building. It should be noted that the application site has no environmental designations and NRW has not objected on the basis of the access and track. In terms of the matter of dormice, there has been extensive dialogue between the applicant and NRW. The presumed presence is accepted and it is concluded that there is not likely to be any loss of favourable conservation status.

The adequacy of the habitat survey has been questioned, however as stated above, the wider land is not subject to this application and NRW have raised no objection to the scheme. The county ecologist has questioned the long term management of the reinstated peat environment and reiterates the fact that separate licencing from NRW would be required for afforestation of the wider land. It is recommended that if approved, there should be a condition seeking a long term management plan of the reinstated area where the hardcore has been removed.

### Highway Impacts

The Head of Transport has assessed the site and surrounding road network and has no objection on the basis that there is no general public access. The access onto the public highway is considered to be a significant improvement over the original gateway in that vehicles can pull off the county highway and open the gates rather than causing an obstruction. The visibility has also been improved making it safer for vehicles leaving the site and for general road users. There have been concerns raised over people using the cross roads, and crashes due to speeding vehicles, however the level of usage from planting and harvesting biomass is not considered to be significant and the principle of larger vehicles was accepted in 1983 and again established with the forestry notification in 2016. Impact on highway safety is not therefore considered likely to be unacceptable.

### Surface Water

There is concern over the impact of the scheme on historic pre-existing drainage problems on the highway. It is noted that due to complaints over the pre-existing highway drainage problems, work has been recently carried out on the highway to improve the flow into an existing surface water culvert to alleviate the problem. The application includes a surface water scheme including attenuation to ensure that the surface water from the building and the majority of the access track is attenuated to greenfield rates so there is no additional rate of water flowing into the surface water drains which cross the highway. Any remaining water from the access track is proposed to be diverted to an existing ditch. The scheme is therefore designed so water from the access and track is not considered likely to have an adverse impact. The county drainage engineers and NRW have been consulted on the application and have no objection to the proposal.

### Hard Standing

There is concern that hazardous substances have been buried under the hardstanding. This has been subject to complaints to public protection, planning enforcement and NRW. It should be noted that site visits have taken place which concluded that no action was necessary.

### The Use of the Building

There is speculation that the applicant intends using the building for the manufacturing of timber frame buildings. This is not within the permitted use as a forestry building and would require change of use. Such premises are directed towards business parks and employment sites rather than open countryside locations. It is noted that the applicant has acquired a joinery on an industrial estate in Llanelli and any expansion would be encouraged in locations such as this. The applicant states that the building is to be used for forestry purposes for the drying and storage of biomass produced on site with willow coppicing. It should be noted that the principle of the building does not form part of this application as it was considered permitted development for forestry, and the use of the wider land does not form part of this application and requires a planting licence from NRW.

#### Other Matters

Matters related to planting licences, fire management, and the applicant's other premises in Five Roads are not considered to be material considerations.

### **Planning Obligations**

Not applicable.

### **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

### **Conclusion**

After careful consideration of the scheme as submitted it is concluded on balance that the application has sought to address the reasons for refusal or dismissal of previous applications.

There are concerns from neighbouring occupants that the applicant is seeking to relocate its business to this location into the forestry building, however it should be noted that the application is just seeking the retention of some of the hardstanding along with the access track and surface water scheme.

It should be noted that the potential re-use of the building and the growing of commercial willow crop on the land that is owned by the applicant is not part of the application and concerns are not relevant to the determination of this application. The applicant is aware of the need to obtain a licence to grow willow on the land however this is a separate process to planning and is covered by other legislation. A planting licence was not a pre-requisite for construction of the building under notification S/33871, however if the building is not used for a forestry purpose, it will be subject to enforcement action for its removal.

Based on the proposal under consideration, the access is considered to be an improvement over the original gateway and the access track and surface water system are

not likely to have an adverse impact on third parties. Therefore the application is recommended for approval.

## RECOMMENDATION – APPROVAL

### Conditions

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 11 May 2018.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 11 October 2018:-
  - 1:1250 & 1:2500 scale Site Block and Location Plan. Drawing No. LP-01A;
  - 1:500 & 1:1250 scale Proposed Site Plan. Drawing No. 01;
  - 1:200 & 1:20 scale SW Drainage Strategy Plan and Section. Drawing No. 02C;
  - 1:100 & 1:10 scale Site Access Plan and Details. Drawing No. 7478-01-RevC.
- 3 The new vehicular access shall be laid out and constructed strictly in accordance with Typical Layout for agricultural accesses specification, prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 4 Any access gates shall be set back at 10.0 metres from the highway boundary, and shall open inwards into the site only.
- 5 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 10.0 metres from the edge of the carriageway.
- 6 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole C2130 Road frontage within 2.4 metres of the near edge of the carriageway.
- 7 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.
- 8 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.
- 9 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.

- 10 The private access shall be hard surfaced in a bonded material for a minimum distance of 10.0 metres behind the highway boundary within 60 days of the date of this permission and thereafter maintained in perpetuity.
- 11 Within 3 months of the date of this permission, a long term management plan for reinstated peat environment shall be submitted to and approved by the Local Planning Authority.
- 12 Within 3 months of the date of this permission, a revised timetable for mitigation planting and removal of inert waste shall be submitted to and approved in writing by the Local Planning Authority. The works shall be in accordance with Appendix 6 of the Preliminary Ecological Appraisal reference WWE18007.PEA\_Rev E dated 11 October 2018.
- 13 The surface water scheme as shown on Drawing No. 02C dated 11 October 2018 shall be implemented within 6 months of the date of this permission.
- 14 There shall be no drying or storage of timber or any other form of biomass grown on sites other than the land edged blue submitted with this application.
- 15 There shall be no external storage of timber or any other form of biomass on the land edged red or blue submitted with this application.

## **Reasons**

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2+15 In the interests of visual amenity in accordance with Policy GP1.
- 3-10 In the interests of highway safety in accordance with Policies TR2 and TR3.
- 11+12 In the interests of biodiversity in accordance with Policy EQ4.
- 13 To prevent flooding in accordance with Policies SP2 and EP3.
- 14 To protect the amenities of neighbouring properties in accordance with Policy GP1.

## **Notes/Informatives**

- 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 if development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

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

- 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)).
- 3 Please note an EPS licence is required for dormice.

<b>Application No</b>	<b>S/37727</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCT NEW SINGLE STOREY WAREHOUSING BLOCK ALONG WITH BUILDING A SECOND STOREY EXTENSION ABOVE THE EXISTING OFFICE AREA WITH ASSOCIATED WORKS TO THE CAR PARK AND FACADE AND PERIMETER FENCING (TOTAL PROPOSED AREA - 800 SQ METRES) AT CK'S STORES, EMBANKMENT ROAD, LLANELLI, SA15 2BT

<b>Applicant(s)</b>	CK'S SUPERMARKETS LTD, CK'S STORES, 1 EMBANKMENT ROAD, MORFA, LLANELLI, SA15 2BT
<b>Agent</b>	ATEB CONSULT - MR MIKE MORGAN, 42 GURNOS ROAD, YSTALYFERA, SWANSEA, SA9 2HY
<b>Case Officer</b>	Robert Davies
<b>Ward</b>	Glan Y Mor
<b>Date of validation</b>	28/08/2018

## Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Councillor Prosser and Councillor Roberts and the receipt of more than one objection from third parties.

## Site

The application site consists of the existing CK's supermarket storage and distribution centre located off Embankment Road in Morfa, Llanelli. The site was historically a Leo's supermarket site before planning permission was granted in 2002 to use the majority of the site as a storage and distribution centre.

The 1.65ha site is located within an area that is primarily residential in nature and is accessed via a site entrance from Embankment Road to the south west corner. The former Leos store had a historic access arrangement off Westbury Street to the east however this has subsequently been closed off.

The majority of the existing building is single storey flat roof, with the exception of a more recent pitched roof warehouse extension to the western side. The storage and distribution centre has a very large curtilage, however the existing parking and delivery arrangements

are quite ad hoc. There are currently unauthorised steel containers located to the eastern side of the building which are used as a dispatch area.

## Proposal

The application seeks full planning permission to construct a new single storey 18m by 12m warehouse extension block on the southern elevation of the building on an area currently used for the storage of rubbish. A larger extension was previously approved in this location under planning application reference S/17669 in 2007 but was never implemented. It is also proposed to construct a 35m by 17m first floor offices extension above the existing ground floor office area, freeing up the existing ground floor office space to be used for further storage/warehousing. An existing meat production area within the existing building is to be retained and a new small bakery area provided.

The proposed extensions will have goosewing grey horizontal cladding to the walls and a mixture of grey sheeting or felt to the roofs.

The proposed scheme seeks to formalise the parking arrangements, with 50no. being delineated, whilst the lorry waiting and loading areas are also to be regularised. An alternative cardboard/rubbish storage area is proposed to the northern side of the building, whilst the existing unauthorised dispatch area containers to the eastern side of the building area to be removed.

In terms of drainage the foul sewerage is to be disposed of to the mains sewer whilst surface water is to be disposed of via the mains also, as infiltration is not appropriate, albeit at an attenuated rate via an attenuation tank.

The revised plans submitted also indicate that it is proposed to construct a 2.4m high weldmesh style security fence around the whole perimeter of the application site. A new footpath arrangement is shown to the north eastern corner of the application site whilst the eastern boundary fencing is proposed to have two security access gates.

In addition to the usual drawings the application was accompanied by the following supporting information:-

- Flood Consequence Assessment;
- Preliminary Ecological Appraisal;
- Traffic management plan – traffic distribution routes;
- Traffic and staff travel plan;
- Traffic Management Plan;
- Drainage Drawings.

## Planning Site History

S/20154	Extension to existing warehouse Full planning permission	25 November 2008
S/19308	Variation of condition no. 3 attached to planning permission ref. S/17669 dated 20 December 2007 to allow for alternative external finishes to the development Variation of planning condition granted	16 July 2008

S/17669	Warehouse extension Full planning permission	20 December 2007
LL/01603	Change of use of part of existing supermarket to storage and distribution Full planning permission	01 August 2002
D5/15699	Removal of railway embankment and bridge and associated road improvement landscaping works – to be used as public open space Full planning permission	23 September 1993
D5/10615	Removal of railway embankment Deemed Consent (Regulation 4)	16 May 1988
D5/8173	Proposed staff room/kitchen extension Full planning permission	03 January 1988
D5/7529	Loading bay canopy extension Full planning permission	19 January 1984
D5/5274	Extension of existing store Approval of Reserved Matters granted	08 January 1981
D5/4814	Extension of existing store Outline planning permission	17 July 1980
D5/5021	Display of advertisements Consent to Display Advertisements granted	17 July 1980

## Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces  
 SP2 Climate Change  
 SP3 Sustainable Distribution- Settlement Framework  
 SP9 Transportation  
 SP14 Protection and Enhancement of the Natural Environment  
 SP17 Infrastructure  
 GP1 Sustainability and High Quality Design  
 GP2 Development Limits  
 GP4 Infrastructure and New Development  
 EMP3 Employment – Extensions and Intensification  
 TR2 Location of Development – Transport Considerations  
 TR3 Highways in Developments – Design Considerations  
 EQ4 Biodiversity  
 EP1 Water Quality and Resources  
 EP2 Pollution  
 EP3 Sustainable Drainage

## [Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

### **Summary of Consultation Responses**

**Head of Transport** – No objection subject to the submission of a travel routing plan for deliveries and a staff travel plan.

**Head of Public Protection** – No objection subject to conditions.

**Llanelli Town Council** – No objection but made the following comments:-

- A number of objections have been raised by local residents over noise and overlooking.
- Respectfully request that the decision on this application is made by the Planning Committee.
- Request that further detail is provided on outstanding matters prior to the application being considered.

**Local Members** – Councillor J Prosser has declared an interest in the application as the applicant is known to him. Councillor Prosser has received concerns from Clos Dewi Medi residents that they will be overlooked. Whilst Councillor Prosser acknowledges the applicant's intention to expand their business, due to the concerns raised respectfully requests that the Planning Committee undertake a site visit prior to making a decision on the application.

Councillor L Roberts has raised the following reservations:-

- No disclosure on submitted plans regarding a proposed bakery.
- No designated area for containers on new plans.
- Windows of new first floor extension overlooking old age bungalows.
- Large mounds of material waste around perimeters.
- Building material waste.
- Noise levels early morning resident complaints.
- Emission of fumes near proximity of houses. Residents' complaints.
- Request that these plans are submitted to a planning meeting/requesting a site visit also.

**Land Drainage** – No objection.

**Dwr Cymru/Welsh Water** – No objection subject to conditions and advisory notes.

**Natural Resources Wales** – No objection.

All representations can be viewed in full on our [website](#).

## **Summary of Public Representations**

The application was originally advertised by the posting of numerous site notices, whilst a re-consultation was also undertaken in the same manner. To date five letters of representation have been received objection to the application on the following grounds:-

- Such a distribution centre is not acceptable in a residential area in the first place. Any proposals to expand should be on an industrial estate.
- Noise and vibration from lorries, fork lifts from 6.30am in the morning.
- Highway and pedestrian safety – increased traffic.
- Increased pollution.
- Visual amenity – the existing site is an eyesore with rubbish including fridges, shelves and containers scattered around the site. This encourages anti-social behaviour and health and safety issues. This will be exacerbated by the expansion proposals.
- Health and safety – there is a public right of way through the site which is used by children walking to school. This is dangerous as they have to walk passed lorries loading and unloading.
- Lack of security at the site at the moment e.g. no fencing or cctv.
- There are unauthorised containers on the site that are used for distribution.
- Increased sewerage.
- Loss of amenity from overlooking.
- Lack of consultation – only site notices.

All representations can be viewed in full on our [website](#).

## **Appraisal**

### Principle of Development

As aforementioned in this report, the application site is already in use as a well-established storage and distribution centre for CK's supermarket. As such, there is no in principle objection to its expansion provided that the proposals accord with relevant policies contained within the Local Development Plan.

The current application provides an opportunity to improve existing operations at the application site by formalising and regularising arrangements, and imposing suitably worded conditions where relevant.

#### Impact upon Character and Appearance of the Area

In addition to the concerns raised in terms of impact upon residential amenity, concerns have been received over existing waste scattered around the site and the siting of unauthorised containers. It is opined that such matters have adversely affected the visual amenity of the area and result in health and safety issues.

In this respect the plans submitted indicate that the existing unauthorised containers used as a dispatch area are to be removed as part of the proposed development and a condition to ensure that this is done within a defined timescale will be imposed on any planning permission granted. Whilst the existing area for the storage of cardboard waste etc. will be displaced by the proposed ground floor extension, the plans indicate an alternative location for such storage to the northern side of the building. This area is less prominent. The applicant has also provided assurance that other existing waste including old refrigerators, shelves and building waste etc. will be removed from the site.

In terms of the proposed extensions, it is considered that their contemporary appearance will significantly enhance the visual aspect of the existing building.

#### Privacy & Residential Amenity

A number of concerns have been received regarding the impact of the existing use on adjacent residents in terms of noise and vibration, pollution and general disturbance and opine that this will be exacerbated by the expansion plans. Concerns have also been raised in terms of overlooking of the existing bungalows at Close Dewi Medi from the first floor office windows.

As already mentioned the application site is a well-established storage and distribution centre for CK's supermarket. Planning permission was granted in 2002 to turn the majority of the unit into storage and distribution use. This permission was not subject to any restrictive conditions. The 2002 permission indicated that the southern section of the building was to be retained for retail use, however this has been used for storage and distribution for some time also. It is also worthy to note that planning permission was previously granted in 2007 to construct an extension where the single storey warehouse extension is now proposed. The 2007 permission was for a slightly larger extension than now proposed, however the permission itself was not implemented.

The current application does provide an opportunity to regularise operations at the application site to the benefit of local residents. Whilst the majority of the existing unit is not subject to restrictive conditions, the new proposals subject of this application can be restricted in the interest of preserving the residential amenity of local residents. In this respect suitably worded conditions are included in below.

The Authority's Head of Public Protection has been consulted and has raised no objection subject to conditions. Clarification has been sought from the applicant in terms of any plant and machinery required as part of the proposed development. Whilst there are no restrictive planning conditions on previous planning permissions granted, the Authority's

Environmental Health Division have powers to take action against any activity that could be classed as a statutory nuisance.

In terms of overlooking from first floor windows in the new office block, the plans submitted indicate that the high level windows proposed in the southern elevation at first floor will be obscure glazed. A condition to ensure this can be imposed on any planning permission granted.

### Biodiversity Impacts

The application site has been accompanied by a bat survey which found no signs of bats roosting within the building proposed for alterations and extension. As such an EPS licence is not required. This report has been considered by the Authority's Planning Ecologist who has raised no objection subject to the imposition of precautionary conditions on any planning permission granted.

### Highway Impacts

With regards to highway impacts, whilst the proposals will expand operations at the site, the submitted plans indicate a number of changes that will improve matters in both highway safety and residential amenity terms. The car parking provision within the site is to be formalised and a condition can be imposed on any planning permission granted to ensure that this is the case. The internal circulation routes within the site, waiting area and loading areas for lorries are clearly delineated and again can be secured via appropriately worded conditions. In this respect the application site has a very large curtilage with sufficient space to regularise such provision.

As aforementioned also, the revised plans also propose a perimeter fence that will prevent conflict between lorries and members of the public who currently walk across the site. An alternative footway link is to be provided and can be secured via conditions.

The eastern perimeter fence is to make provision for security vehicle access only and a condition to ensure that only security vehicles use these access points can be imposed on any planning permission granted.

The application has been accompanied by a traffic management plan indicating the distribution routes used by lorries coming and going from the site. In this respect the primary road network to the south of the site is used by lorries that can travel eastwards to the M4 and Swansea, and to the west towards the rest of Carmarthenshire. A staff travel plan has also been submitted that indicates that the company encourages staff to utilise travel means other than via the use of the private car.

The Authority's Head of Transport has been consulted on the application and has raised no objection.

### Flood Risk & Drainage Implications

In terms of flooding the application site is located within a C1 flood zone as defined by TAN15 Development Advice Maps i.e. areas of the floodplain which are developed and served by significant infrastructure, including flood defences.

This proposal, for an extension to an existing building, is classed as less vulnerable development according to TAN15. Development in zone C must first be justified in accordance with Section 6 of TAN15, and in this respect Paragraph 6.2 below is applicable.

6.2 New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement<sup>1</sup>; or,
- ii Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
- iii It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,
- iv The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

In relation to the justification test the proposal does contribute to key employment objectives by creating an additional 10 full time jobs, and relates to previously developed land. The application has been accompanied by a Flood Consequence Assessment and whilst the proposal does not comply with tables A1.14 and A1.15 of TAN15 in terms of flooding depths, NRW acknowledge that the proposal is for an extension to an existing building used for less vulnerable uses, and therefore given the scale and nature of the proposals offer no objection. Therefore the LPA considers that the proposal meets the justification tests referred to under TAN15.

In terms of drainage, foul water is to be disposed of to the mains sewer and DCWW has raised no objection in this respect. With regards to surface water disposal, percolations tests undertaken at the site indicate that infiltration is not an option and therefore attenuated discharge to the main sewer is proposed. In this respect DCWW and the Authority's Land Drainage section have not raised any objection. There will be no increased surface water runoff from the first floor extension as there is no increased roof area, whilst the likelihood is that surface water runoff from the area where the ground floor extension is proposed already enters the main sewer, albeit currently at an unattenuated rate.

#### Other Matters

Reference has been made to an existing Public Right of Way that crosses the site. In this respect there is no designated PROW in this location, and locals have used the site as a

shortcut on an informal basis across private land. Notwithstanding this, a revised pathway is proposed to compensate for the loss of access across the site as a result of the perimeter fencing proposed. The perimeter fencing will improve security and health and safety.

Finally, one objector has opined that there has been a lack of consultation. In this respect the Local Planning Authority has publicised the application in the correct manner.

## **Planning Obligations**

Not relevant.

## **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **Conclusion**

The application proposals will result in welcomed investment to the area and will create further employment opportunities. The proposals will visually enhance the existing development, regularise existing arrangements and result in improvements in terms of safety and security.

It is considered that there are no loss of amenity issues associated with the proposed development whilst the issues of concern and objection raised have adequately been addressed as part of the above appraisal.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval subject to the following conditions.

### **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 hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
  - Proposed site plan (103) 1:500 @ A3 received 9<sup>th</sup> May, 2019;
  - New extension – roof plan (304) 1:100 @ A1 received 30<sup>th</sup> April, 2019;

- Proposed steelwork elevations (303A) 1:200 @ A1 received 30<sup>th</sup> April, 2019;
- Topographical survey (102) 1:500 @ A3 received 30<sup>th</sup> April, 2019;
- Existing floor plans and elevations (200A) 1:200 @ A1 received 30<sup>th</sup> April, 2019;
- Proposed drainage plan (201B) 1:1000 @ A3 received 30<sup>th</sup> April, 2019;
- Proposed elevations (202-1C) 1:200 @ A1 received 30<sup>th</sup> April, 2019;
- Proposed ground floor plan (202-2) 1:100 @ A1 received 30<sup>th</sup> April, 2019;
- Proposed office scheme/first floor plans (202-3) 1:100 @ A1 received 30<sup>th</sup> April, 2019;
- New extension – foundation plan (301-A) 1:50 @ A1 received 30<sup>th</sup> April, 2019;
- New extension ground floor plan (302) 1:100 @ A1 received 30<sup>th</sup> April, 2019;
- Existing steel work – section at Gridline A & H (503) 1:100 @ A2 received 30<sup>th</sup> April, 2019;
- Existing steelwork – elevation at Gridline 1 & 5 (502) 1:50 @ A2 received 30<sup>th</sup> April, 2019;
- Existing steelwork – Gridlines (501) 1:100 @ A1 received 30<sup>th</sup> April, 2019;
- Proposed fencing (elevations in boundary) (402-02) 1:200 @ A1 received 30<sup>th</sup> April 2019;
- Existing drainage/trial pit location (204) 1:500 @ A3 received 30<sup>th</sup> April, 2019.

- 3 The development should be carried out in strict accordance with section 10 of the Preliminary Ecological Appraisal undertaken by Just Mammals dated August 2018 and received by the Local Planning Authority on the 23<sup>rd</sup> August, 2018.
- 4 The development hereby permitted must be carried out in strict accordance with the submitted proposed fencing scheme detailed in the proposed site plan [103] 1:500 submitted on 9<sup>th</sup> May 2019 to ensure there is no disturbance to the soil within 7m of the Japanese Knotweed stands.
- 5 The proposed development site is crossed by an 1850mm and a 700mm public sewer. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 9 metres either side of the centreline of the 1850mm and 3.5 metres either side of the centreline of the 700mm public sewer.
- 6 No development shall commence until full details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the Local Planning Authority. This should include micro drainage input and output data for the drainage system design together with flood event runs and attenuation requirement calculations. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity
- 7 Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 8 Prior to the construction of the extensions hereby approved samples of the materials to be used in the construction of the external surfaces of the development should be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.



- 9 Prior to the commencement of development full details of the new 1.5m wide footpath diversion to the north eastern corner of the application site should be submitted to and approved in writing by the Local Planning Authority. The approved path should be provided prior to the beneficial use of the development hereby approved.
- 10 Before the development hereby permitted is brought into use, the first floor windows in the southern elevation of the office extension shall be fitted with obscure glass and shall be permanently retained in that condition thereafter.
- 11 Prior to the commencement of development on the ground floor extension, the new refuse area to the northern side of the building as shown on the approved drawings should be constructed to the written approval of the Local Planning Authority.
- 12 The parking spaces and layout shown on the plans herewith approved shall be surface delineated and provided to the written approval of the Local Planning Authority 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 and turning facilities is to be obstructed by non-motorised vehicles.
- 13 The lorry waiting bays, loading bay and keep clear zones layout shown on the plans herewith approved shall be surface delineated and provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for their specific purposes. In particular, no part of these area shall be obstructed by non-motorised vehicles.
- 14 The two vehicular access points shown on the eastern boundary of the application site should be used for security access only as specified on the approved drawings and should not be used by staff, visitors or for delivery purposes.
- 15 There shall be no external storage of materials at the application site other than in the areas shown on the approved drawings.
- 16 Within 12 months of the date of this planning permission the unauthorised steel containers attached to the eastern side of the building shall be removed from the site in their entirety to the written approval of the Local Planning Authority.
- 17 The use of the development hereby approved including deliveries to and from the development shall not be carried out outside the hours of 6.00am to 5.00pm Monday to Friday, 7.00am to 12.00 pm on Saturdays, and not at all on Sundays and Bank Holidays.

## **Reasons**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2+8 In the interest of visual amenity.
- 3 To avoid harm to protected species.

- 4 To avoid the spread of invasive species.
- 5 To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 6 To ensure a satisfactory means of surface water drainage.
- 7 To ensure that the amenity of local residents is adequately protected from dust during demolition/construction.
- 9 In the interest of ensuring permeability and promoting active travel.
- 10+17 To preserve residential amenity.
- 11 To compensate for the loss of the existing refuse storage area and in the interest of visual amenity
- 12-14 In the interest of highway safety.
- 15-16 In the interest of visual and residential amenity.

## **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 SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP2 of the LDP in that the proposed development is resilient to the impact of climate change.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- 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.

- It is considered that the proposal complies with Policy GP2 of the LDP in that the proposed development is located within the defined settlement limits of Llanelli.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.
- It is considered that the proposal complies with Policy EMP3 of the LDP in that the development is of an appropriate scale and will not result in adverse amenity issues.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.

## 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)).

<b>Application No</b>	<b>S/38544</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF 17 NO. DWELLINGHOUSES, ESTATE ROAD AND ASSOCIATED INFRASTRUCTURE (REVISION OF SITE LAYOUT AND HOUSE TYPE DETAILS APPROVED UNDER PLANNING PERMISSION S/27674) AT LAND AT PARC GWERNEN, FFORESTFACH, TYCROES, AMMANFORD, SA18 3PR

<b>Applicant(s)</b>	HAYWOOD HOMES WALES (GL) LIMITED, C/O AGENTS, ,
<b>Agent</b>	JCR PLANNING LTD - RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Tycroes
<b>Date of validation</b>	13/03/2019

## Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Councillor Tina Higgins.

## Site

The application site roughly comprises a rectangular parcel of land situated to the south eastern corner of the existing Parc Gwernen, Fforestfach residential estate in Tycroes. To the south, east and south west the site boundary is defined by well-established trees and hedgerows with open agricultural fields beyond. To the north and north-west is residential development, the boundaries with these properties is formed through timber fencing. The site is located within the development limits and allocated in the Council's current Local Development Plan (LDP) under reference GA3/H22 for 20 dwellings.

The site extends to approximately 0.83hectares and is currently vacant following clearance in preparation of development. The site has previously been granted planning permission (ref. S/27674) in April 2014 for 27 dwellings and represents the final phase of the Parc Gwernen development.

The site slopes gently downwards towards its south eastern boundary from the estate road in the north. The neighbouring properties within Parc Gwernen and Fforestfach predominantly consist of two storey semi-detached and terraced properties.

## **Proposal**

The application seeks full planning permission for the construction of 17 dwellinghouses on the site together with the estate road and associated infrastructure. The description of development states the application seeks permission for a revision of site layout and house type details approved under planning permission reference S/27674. Unlike the previous scheme, the subject application proposes predominantly detached bungalows at the site, with 12 bungalow proposed through four different house types, 2 dormer bungalows and 3 two storey properties. In terms of the breakdown of the units, the scheme will comprise 2 x 3 bedroom dormer bungalows, 3 x 4 bedroom houses, 11 x 3 bedroom bungalow and 1 x 2 bedroom bungalow.

The layout of the scheme broadly follows that of the previously approved application at the site and seeks to take account of amenity of existing adjacent residential occupiers. As per the previous scheme, the site is proposed to be accessed via a single junction off the existing Parc Gwernen estate road. Within the site a new estate road is proposed to the east with two shared private driveways extending off this towards the south. A visibility splay will be provided along both sides of the new junction. The internal estate road will have a carriageway width of 5.5metres with 1.8metre footways either side. The shared private driveway measures 4.5metres wide. Car parking is provided for each dwelling through a mix of garages, front and side car driveways which seek to minimise the visual impact and dominance of car parking areas.

The scale and appearance of the proposed dwellings seeks to reflect the character and architectural style of existing residential properties within the Parc Gwernen estate. The external finishes comprise facing brick work and cedar cladding for the walls, with roof tiles interlocking through a traditional saddle roof design. Windows and doors will be UPVC and some of the house types include a timber canopy on the front elevation.

The application is also accompanied by a landscaping scheme which retains and reinforces existing landscape features along the site's boundaries as well as the implementation of new planting treatments at the site entrance and at points within the development. Details of the proposed boundary treatments are also provided and include a mix of picket fencing, close board fencing and brick walling.

The application has been accompanied by a suite of supporting documents/information including the following:-

- Design and Access Statement
- Phase 1 Extended Habitat Survey
- Tree / Arboriculture Survey and Plans
- Drainage Layout Plan and Scheme
- Geo-technical Survey Report of the site
- Pre-Application Consultation Report with Appendices

## Planning Site History

S/36736	Removal of conditions 11, 12 and 13 (Code for Sustainable Homes) of planning permission S/27674 and the addition of a new condition referring to the plans approved under the planning permission Non-Material Amendment granted	05 February 2018
S/27674	Residential development of 27 no. new homes together with associated vehicular and pedestrian access, car parking, landscaping, drainage infrastructure and other ancillary uses and activities Full planning permission	01 April 2014
S/08527	Extend road as previously approved under D5/13445 and construct 1 no. dwelling on area of land designated as P.O.S. on previously approved layout Full planning permission	21 January 2005
D5/13445	Proposed residential development of 1, 2 and 3 bed units (89 no.) road and sewers Approved	24 April 1991
D5/2947	Residential development (12 houses) Approved	13 April 1978

## Planning Policy

In the context of the Authority's current Development Plan the site is within the defined development limits of Tycroes as contained in the adopted Local Development Plan (LDP). It is allocated under Policy H1, reference. GA3/H22 for 20 dwellings in the Plan. Reference is drawn to the following policies of the Plan:-

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces  
SP3 Sustainable Distribution- Settlement Framework  
SP5 Housing  
SP6 Affordable Housing  
SP14 Protection and Enhancement of the Natural Environment  
SP16 Community Facilities  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
GP3 Planning Obligations  
GP4 Infrastructure and New Development  
H1 Housing Allocations  
AH1 Affordable Housing  
EQ4 Biodiversity  
EQ5 Corridors, Networks and Features of Distinctiveness  
EP3 Sustainable Drainage

## [Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

### **Summary of Consultation Responses**

**Head of Transportation & Highways** - No objections subject to imposition of conditions and a financial contribution towards a highway/footway improvement scheme along Tycroes Road.

**Llanedi Community Council** – Consider a significant contribution should be provided for the improvement of play space in the area.

**Local Member(s)** - Councillor Tina Higgins has requested that the application be considered by Planning Committee and raised concerns regarding orientation of plots 16 and 17 and loss of privacy to no. 35, flooding, need for a Section 106 agreement, road adoption and the impact of additional housing on the village infrastructure.

**Natural Resources Wales** – No comment on the submitted application.

**Dwr Cymru/Welsh Water** – No objection subject to imposition of condition regarding drainage system.

**Forward Planning** – Principle of residential development has been established through the site's allocation. No policy objections providing an appropriate level of affordable housing is proposed and no highway or amenity objections.

**Sustainable Drainage Approval Body** – Confirmed that the technical information relating to the surface water management proposals for the on-site infrastructure is acceptable.

All representations can be viewed in full on our [website](#).

### **Summary of Public Representations**

The application was the subject of notification by way of site notice and publication in the local newspaper, as per the previous application.

Two representations were received, each objecting to the scheme, the matters raised are summarised as follows:-

- Drainage – the land is susceptible to flooding due to poor drainage and concerns that new development will result in increased risk of flooding.
- Drainage – the existing drainage infrastructure results in the disposal of a significant amount of water via the water course through Pantyffynnon Farm. Concerns raised that the proposal will exacerbate this and the land cannot cope with any additional water flow.

- Poor parking – existing estate provides off-road parking yet cars still park on pavements and roadside resulting in congestion. Limited parking proposed for visitors within the scheme so will result in parking on roadside and pavements.
- Increased traffic – existing concerns regarding traffic flow along Tycroes Road, between the village and Fforestfach estate/Parc Gwernen, lack of pavement causes danger for pedestrians. An increase in the number of residents will add to the existing high traffic flow and put pedestrians at greater risk.
- Loss of privacy – building properties to the rear of existing properties in Parc Gwernen will result in loss of privacy and overlooking, particularly plots 2 and 3.
- Lack of awareness of application – letters not sent to individual households and limited number of site notices.

All representations can be viewed in full on our [website](#).

## **Appraisal**

### Principle of development

The principle of residential development at the site has previously been accepted through the site's allocation within the Local Development Plan for 20 dwellings (reference. GA3/H22) and also full planning permission granted in April 2014 for 27 dwellings at the site.

### Impact upon character and appearance of the area

The scale and appearance of the proposed dwellings seeks to reflect the character and architectural style of existing residential properties within the Parc Gwernen estate. External finishes comprise a mix of facing brick work and Cedral cladding for the walls, as per the existing adjacent estate. Boundary treatment is proposed through the form of picket fencing, close board fencing and brick walling. The proposed external materials and boundary treatment will result in the proposed development representing a continuation of the existing residential estate to the north and north-west of the site.

### Landscape and visual impact/biodiversity

The proposal retains existing trees and hedgerows along the boundaries of the site and proposes new planting at the site entrance and points throughout the site. In terms of biodiversity, the application was supported by an Ecological Appraisal Report, Tree Report and the Proposed Site Plan detailing the landscape measures. The Council's Planning Ecologist has confirmed that the assessment undertaken is satisfactory and the recommendations within the submitted documents comply with LDP policy objectives and the requirements of the Environment Act Wales 2016 subject to the imposition of conditions.

### Privacy impacts

Concerns regarding loss of privacy and overlooking have been raised by a neighbour and also Councillor Higgins. The concerns appear to primarily relate to the northern and western site boundaries. Firstly, concerns are raised regarding plots 2 and 3 overlooking

the living areas, bedrooms and gardens of existing dwellings 62, 48 and 46 of Parc Gwernen. Plots 2 and 3 are both house type Lliedi, detached three bedroom bungalows. The proposed floor plan and elevations show that the rear elevation will include three external doors and four windows, one of which will be obscure glazing given it is a bathroom. The gardens of each plot are a minimum of 8.5m and a 1.8m high close boarded fence is proposed between the site and existing residential properties. No first floor is proposed so there is no option for overlooking beyond the proposed boundary treatment. Furthermore, the separation distance between plots 2 and 3 and existing properties is a minimum of 20.5m. On this basis, it is considered that plots 2 and 3 would not have a significant impact on the amenity of existing adjacent residents through any loss of privacy or overlooking.

Reference is also made to the orientation of plots 15 and 16 and the resultant impact on the existing occupier of no. 35 Parc Gwernen. Again both plots 15 and 16 are bungalows, so there is no windows proposed at first floor level. The garden for plot 16 predominantly backs onto the front drive/side of no. 35. Plot 15 backs onto the garden for no. 35, yet the orientation of the proposed bungalow will not result in any opportunity for overlooking into no.35. Furthermore, a 1.8m high close boarded fence is proposed along the site boundary between the proposed dwellings and no.35. As such, it is not considered there is any significant impact on amenity. Nevertheless, options regarding re-positioning of plot 15 have been discussed and considered by the applicant's architect, yet due to the requirement to provide a turning area it is not possible to amend the positioning of plot 15.

### Highway impacts

Highways have confirmed that they are happy with the proposed scheme subject to a financial contribution towards the footway scheme along Tycroes Road. Concerns have been raised regarding the safety implications for pedestrians using Tycroes Road. The provision of a financial contribution towards the new footway will seek to address this and ensure that residents of the proposed development, as well as existing residents have safe pedestrian links to the centre of the village and Mill Terrace. The payment will be secured via a Section 106 agreement and will enable the Highway Authority to implement the necessary improvement works. In terms of additional traffic generated by the development, the Highways Officer has not raised any concerns in this regard and it is noted that the current scheme represents a reduction in the total number of dwellings proposed from the previous application approved at the site (27 dwellings previously to 17 currently proposed). As such, the level of traffic associated with the revised scheme is not considered to have any greater impact on the local highway network.

Concerns have also been raised regarding the parking situation and potential for cars to park on pavements within the site. The Council's Highways Officer has raised no concerns regarding the proposed parking at the site. A condition has been recommended requiring the parking spaces to be provided prior to any use of the development and retained, unobstructed for the purposes of parking only.

### Flood risk implications

A key concern by the objectors relates to drainage and flood risk implications at the site, with concerns that the proposal will exacerbate existing flooding problems experienced by a number of residents living in the adjacent Parc Gwernen development. Flooding and drainage concerns were raised as part of the previous application at the site (reference. S/27674). The current application proposes a revised drainage scheme and the

submission includes a comprehensive foul and surface water drainage strategy which provides a sustainable means of drainage for the development proposed but also an engineering solution to the existing flooding problems experienced by neighbouring residents.

The ground conditions are challenging caused by an under-lying seam of clay, which prohibits effective infiltration. In summary, the scheme will involve the laying of new drainage network for surface water which will be piped in a northerly direction under the estate road of the proposed development up to an existing connection at the end of the proposed estate road. Private attenuation is proposed within the site to ensure appropriate storage. Dwr Cymru Welsh Water (DCWW) have confirmed acceptability of the proposed scheme and connection to the existing sewer.

Having assessed the details submitted, the Authority's drainage engineers have offered no objection to the surface water drainage scheme. Natural Resources Wales have also not provided any comments.

Turning to foul drainage, the proposed development will connect into the existing public sewerage system within the estate to which DCWW have no objection.

Comments have been raised from a neighbouring resident with concerns that surface water from the development will discharge into a stream on his land. As the drainage layout plan indicates the proposed scheme will ensure that flows from the development will not result in any detriment to the amenity of the respondent's property. Furthermore, the Authority is aware that previous improvements regarding the existing culverted watercourse have been undertaken at the agreement of the developer and adjacent landowner and the Authority has been advised that both parties are in discussion concerning the outlet headwall on the adjacent land.

#### Other matters e.g. non-material considerations (catch all e.g. property value)

The impact of the proposed development on existing village infrastructure has been considered, firstly through the site's initial allocation within the Local Development Plan and through subsequent determination of the previous application (reference. S/27674) and the subject application. As identified below, financial contributions are provided in respect of the development towards improvements to local highway network, education and parks facilities.

In terms of the comment regarding publication of the planning application. The application has been publicised through the Council's website, display of three site notices within the existing Parc Gwernen estate on 4 April 2019 and an advertisement regarding the application and proposed development was listed within the Llanelli Star on 27 March 2019. As such, the application has been duly advertised and publicised in connection with the requirements.

## **Planning Obligations**

The applicants have agreed to enter into a Section 106 agreement whereby they will provide the following contributions as part of the development. The precise level of contributions have been agreed following negotiations and discussions with the relevant service providers of the Authority.

- 1 Affordable Housing – one on site affordable dwelling is proposed and a financial contribution is sought for 0.7 dwellings in line with Policy AH1 given the site's location within a 10% area.

- 2 Highways – financial contribution towards the provision of a new Footway along Tycroes Road, Tycroes.
- 3 Education – still TBC.
- 4 Public Open Space – a financial contribution towards the maintenance and improvement of two existing playgrounds at Heol Brown and Mill Terrace within the vicinity of the development.

## **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **Conclusion**

After careful consideration of the scheme as submitted, together with the representations received to date, it is concluded on balance that the proposal represents an acceptable form of residential development which will be in keeping with and complement the general character and appearance of the surrounding area. The site is designated for housing and benefits from extent permission for 27 dwellings. The proposed development complies with the general policies and sustainability objectives of the Local Development Plan and National Planning Policy.

The general scale, design and spatial layout of the scheme are acceptable and combined with the hard and soft landscaping, boundary materials and external finishes the proposed development will provide a high quality development that responds well to the site's setting in the wider area. Vehicular and pedestrian links are available to the existing estate, with parking provided through the garages and dedicated driveways within curtilage of each dwelling. The development will complete the existing Parc Gwernen development and represents a suitable final phase to the estate, without negatively impacting on the area or amenity of existing occupiers. The proposed development will provide a range and choice of housing sizes and types, predominantly bungalows, for the local area which will be well relates to existing facilities in Tycroes and wider Ammanford/Cross Hands area.

The proposed development satisfies environmental requirements, within both the LDP and the Environment Act Wales 2016 as per confirmation from the Council's Planning Ecologist. A suitable drainage scheme for foul and surface water has been submitted which is acceptable to the Authority's drainage team, DCWW and NRW.

The development will deliver benefits to the local community in the form of an affordable dwelling and financial contributions towards affordable housing, as well as existing facilities in the locality including recreational facilities, education provision and assist the highway authority in delivering improvements to the footway along Tycroes Road. The level of contributions is considered to be commensurate with the scale and nature of the development.

In light of the foregoing, the application is put forward with a favourable recommendation subject to completion of the Section 106 Agreement which secures the outlined community benefits.

## 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 hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
  - Block and Location Plan scale 1:1250 and 1:200 drawing no. 617 03 received 18<sup>th</sup> February 2019;
  - Proposed Site Layout Plan scale 1:500 drawing no. 617 01 Rev H received 5<sup>th</sup> June 2019;
  - Site Sections Plan scale 1:1250 drawing no. 617 02 Rev E received 5<sup>th</sup> June 2019;
  - Gwendraeth – Plot 1 Proposed Floor Plans and Elevations drawing no. 617 11 Rev D received 4<sup>th</sup> April 2019;
  - LLiedi – Plot 2 Proposed Floor Plans and Elevations drawing no. 617 07 Rev A received 18<sup>th</sup> February 2019;
  - LLiedi – Plot 3 Proposed Floor Plans and Elevations drawing no. 617 08 Rev A received 18<sup>th</sup> February 2019;
  - Cennen – Plot 4 Proposed Floor Plans and Elevations drawing no. 617 10 Rev C received 18<sup>th</sup> February 2019;
  - Gwendraeth – Plot 5 Proposed Floor Plans and Elevations drawing no. 617 03 Rev C received 4<sup>th</sup> April 2019;
  - Gwendraeth – Plot 6 Proposed Floor Plans and Elevations drawing no. 617 04 Rev B received 18<sup>th</sup> February 2019;
  - Cennen – Plots 7 & 8 Proposed Floor Plans and Elevations drawing no. 617 02 Rev C received 18<sup>th</sup> February 2019;
  - Tywi – Plots 9,10, 13, 14 & 16 Proposed Floor Plans and Elevations drawing no. 617 06 Rev A received 18<sup>th</sup> February 2019;
  - Saron – Plots 11 & 12 Proposed Floor Plans and Elevations drawing no. 617 09 received 18<sup>th</sup> February 2019;
  - Gwy – Plot 15 Proposed Floor Plans and Elevations drawing no. 617 05 received 18<sup>th</sup> February 2019;
  - Cennen – Plot 17 Proposed Floor Plans and Elevations drawing no. 617 01 Rev C received 18<sup>th</sup> February 2019;
  - Proposed Detached Garage Elevations and Floor Plans drawing no. 617 09 received 18<sup>th</sup> February 2019;
  - Proposed Double Garage Elevations and Floor Plans drawing no. 617 10 received 7<sup>th</sup> March 2019;
  - Proposed Close Board Fence Detail drawing no. 617 01 received 18<sup>th</sup> February 2019;
  - Drainage Construction Details drawing no. 231 received 3<sup>rd</sup> April 2019;
  - Manhole Schedules Surface drawing no. 222 Rev C received 3<sup>rd</sup> April 2019;
  - Manhole Schedules Foul drawing no. 221 Rev B received 3<sup>rd</sup> April 2019;

- Long Sections drawing no. 210 Rev B received 3<sup>rd</sup> April 2019;
- Phase 5 Topographical Survey drawing no. 18-830/200AO/1.1 received 4<sup>th</sup> April 2019;
- Drainage Layout Plan drawing no. 201 Rev J received 28<sup>th</sup> May 2019;
- Design and Access Statement.

- 3 Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.5 metre carriageway and 1.8 metre footways.
- 4 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 5 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole Estate Road frontage within 2.0 metres of the near edge of the carriageway.
- 6 Prior to the occupation of any of the dwellings herewith approved, the required access roads and footways from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.
- 7 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.
- 8 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.
- 9 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 10 No development shall take place until a detailed Construction Traffic Management Plan is submitted for the written approval of the Local Planning Authority and thereafter shall be implemented in full and as agreed.
- 11 No building shall be occupied until the drainage system for the site has been completed in accordance with the details as shown on Drawing Number 201 Rev J. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
- 12 The development must be carried out in strict accordance with:-
  - Proposed Site Plan – 617 Drawing No 1 – Rev H received 5<sup>th</sup> March 2019;
  - Sections 6.1 – 6.4 of the Ecological Appraisal Report dated 10<sup>th</sup> March 2018 by Fiona Elphick;
  - The Tree Report by RTAC received 26<sup>th</sup> February 2019.
- 13 The existing trees and hedgerows along the south eastern and south western boundaries of the site shall be safeguarded and protected as part of the development strictly in accordance with the measures listed in the

Recommendations and Tree Protection Plan contained within the BS5837:2012 Tree Survey Updated.

- 14 Prior to the beneficial occupation of the dwellings hereby approved, all the required boundary treatment measures and proposed landscaping to serve those respective dwellings shall be fully constructed in accordance with the approved plans.
- 15 Before the development hereby permitted is first brought into use the bathroom and en-suite windows for each dwelling (as shown on the above floorplans) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.
- 16 No development shall take place on the application site until the applicant has:-
  - Prepared a detailed scheme for the investigation and recording of contamination for the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) shall be submitted to and approved by the Local Planning Authority. The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards;
  - Submitted detailed proposals for site remediation and verification (Remediation Strategy) which may involve the removal, containment or otherwise rendering harmless such contamination. The proposals shall be prepared in accordance with recognised best practice, legislation, relevant guidance, documentation and British Standards and shall be submitted to and have received in writing the approval of the Local Planning Authority prior to commencing the works.

If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Remediation Strategy' then a revised 'Remediation Strategy' shall be submitted to the Local Planning Authority.

If, during development, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed 'Remediation Strategy'.

## 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.
- 3-10 In the interest of highway safety.
- 11 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 12+13 To ensure the proposed development complies with the LDP policy objections concerning biodiversity and the requirement of the Environment Act Wales 2016.

- 14 In the interest of visual amenity.
- 15 In the interest of privacy.
- 16 To ensure all ground contamination is adequately dealt with.

## Notes/Informatives

- 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 This planning permission is granted subject to the covenants contained in the accompanying Section 106 Legal Agreement in connection with the community benefits provided as part of the development.
  - 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).
- Please see the relevant responses from Dwr Cymru/Welsh Water and the Council's Planning Ecologist, Minerals and Waste Officer and Sustainable Drainage Body and refer to the recommendations and advice contained therein.

<b>Application No</b>	<b>S/38564</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	EXTENSION OF EXISTING STORAGE BUILDING TO CONVERT THIS INTO A PLACE OF WORSHIP. DEMOLITION OF EXISTING BUILDING FORMERLY USED AS AN AUCTION HOUSE. UPGRADING EXISTING CAR PARKING AREA AND DRAINAGE FOR PROPOSED USE AT 2 CARMARTHEN ROAD, CROSS HANDS, LLANELLI, SA14 6SP

<b>Applicant(s)</b>	MR MARK THOBURN, 3C WOODRIDGE, BRIDGEND, CF31 4PE
<b>Agent</b>	MR JONATHAN DENVILLE, 6 BAYLISS ROAD, BRYNCETHIN, BRIDGEND, CF32 9NX
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llannon
<b>Date of validation</b>	15/03/2019

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties

## Site

The application site is an unused commercial premises within the centre of Cross Hands. The site was originally a British Legion but the main building was converted to an auction house in 1996. The site is surrounded by a mix of residential dwellings and commercial premises fronting onto Carmarthen Road and Llandeilo Road. The back section of the site which is not part of this proposal extends up to the park home site accessed off Llandeilo Road.

The building which is subject to the proposal is a utilitarian commercial storage building developed in 1998. The existing building measures approximately 11.3m by 14.15m. Externally the building is brick built with a large roller shutter door and was used as storage for the auction room.

The majority of the parking was on the land to the rear which is said to have regularly accommodated 80-100 cars on a Friday night for previewing and Saturday for the auction.

## Proposal

The application proposes to demolish the auction building and change the use/extend the storage building for re-use as a place of worship.

The building as existing is proposed to be converted into the main auditorium and an L shaped extension wrapping around the corner of the building is proposed to provide an auxiliary hall, toilets and reception area plus storage. The extension is proposed to be 5.9m out from the front elevation and 5.5m out from the side but not extend the whole elevation.

The original plans saw the extension proposed close to the site boundary which is close to the rear gardens of houses on Carmarthen Road, and at a higher level. However this has now been amended so there is a greater separation distance.

Externally the building is proposed to be rendered with grey cladding feature panels under a corrugated roof as existing.

The side/rear fenestration is proposed to be obscurely glazed.

The application has been accompanied by a bat inspection report, a construction management plan and geo-technical /mining report.

## Planning Site History

S/02362	Renovation & extension of property Full planning permission	20 March 2000
S/01124	Erection of store for storage of furniture to be auctioned Full planning permission	08 June 1998
D5/17339	Change of use from licenced premises to auction rooms Full planning permission	25 January 1996

## Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1	Sustainable Places and Spaces	
<b>Error! Reference source not found.</b>		Community Facilities
<b>Error! Reference source not found.</b>		Sustainability and High Quality Design
<b>Error! Reference source not found.</b>	Considerations	Location of Development- Transport
<b>Error! Reference source not found.</b>	Considerations	Highways in Developments- Design
<b>Error! Reference source not found.</b>	Mawr SPG Area	Development within the Caeau Mynydd



## [Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – Has no objection, given the past uses of the site, however any development to the rear will require highway improvements as it would be considered as an intensification of use.

### Head of Public Protection

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

**Dust** – Has no objection subject to the implementation of the construction management plan.

**Air Quality** – Has no objection and welcomes the inclusion of bike racks.

**Llannon Community Council** - No observations received to date.

**Local Members** - Councillor E Dole has not commented to date. Councillor D Jones is a member of the Planning Committee and has made no prior comment.

**Coal Authority** – No objections to the proposal.

All representations can be viewed in full on our [website](#).

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters/site notice/publication in the local newspaper.

8No. representations were received from 4No neighbours objecting to the proposal, and the matters raised are summarised as follows:

- Design & layout;
- Amenity impacts;
  - noise;
  - disturbance;
  - privacy;
  - overshadowing;
- Highway safety;
- Parking;
- Environmental impact;
- Coal mining/ground conditions;
- Drainage;
- Party Wall;
- Boundary line questioned.

All representations can be viewed in full on our [website](#).

## Appraisal

### Design and Layout

The original proposal had the extension close to the boundary with properties in Carmarthen Road. This would have had an overbearing impact given the ground levels on the site being higher than the adjacent gardens. However, after discussion, the applicant has amended the plan so that the corner which was of concern has been removed and the gap between the extension and residential properties has been increased to address the issue. It is noted that the extension is of a single storey scale and design with a flat roof, so the impact is not considered likely to be overbearing.

### Amenity Impacts

There is concern that the use would result in noise and disturbance to the surrounding residential properties. It is noted however that the site is of a commercial nature and would have historically had a noise impact as a British Legion Club. It is noted that the times of worship are likely to be limited during the week so if there is noise generated, it would not be constant or at antisocial hours. The Head of Public Protection has assessed the scheme and has no objection subject to the imposition of conditions restricting worship and events to the building itself rather than the surrounding curtilage. Noise is a statutory nuisance which is controlled by other legislation so if noise and disturbance is evident, there are ways of controlling it through Public Protection.

### Privacy Impacts

There is concern that the windows proposed would have a detrimental impact on the amenities of third parties. This has been brought to the attention of the applicants and the plans have been amended to include obscure glazing to address the issue. It is further noted that the design has been amended so the extension is further away from the neighbouring properties than the original scheme.

### Biodiversity Impacts

The application has been accompanied by a bat report given the fact that the old auction house is proposed to be demolished. The report has several recommendations that will need to be implemented and an appropriate condition is therefore recommended.

The site is in the Caeau Mynydd Mawr SPG area, however it is noted that the auction house is being demolished. The amount of floorspace is being reduced so the contribution is not applicable.

### Highway Impacts

There is concern over highway safety given the site access close to the traffic lights and the presence of the school along Carmarthen Road. It is noted however that the site was historically used as a private members club and more lately as an auction house. The owners have stated that the auction house was open on Friday nights for previewing items and open all day on Saturdays for sales. On a typical day there were between 80

and 100 cars accessing the site and parking to the rear. The applicants have stated that they do not anticipate this level of usage.

Parking is of concern given the small number of spaces shown on the plan. It is however noted that there is adequate space for parking and turning for the predicted number of vehicles and adequate informal parking for special occasions. The historic use of the site would have generated more parking than the proposed use so this is not considered to be detrimental. Parking on Carmarthen Road is controlled by double yellow lines so the proposal should not have a detrimental impact. The applicant has no control over third party parking.

A wall has been erected enclosing the Cross Hands Hotel car park which obstructs visibility at the access. It is noted that the wall does not benefit from consent and therefore enforcement action is being initiated for its removal or reduction in height.

### Drainage

The neighbours cite existing drainage problems with water encroachment from the site. The applicants have been asked to provide a drainage strategy and this is considered to be acceptable. By formalising the drainage it is considered that there is likely to be an improvement over the existing situation.

### Coal Mining/Ground Conditions

The site is said to have been increased in height so ground conditions have been questioned. The site is also in a high risk coal mining area. The Coal Authority therefore asked for a risk assessment based on a site survey. The applicants have carried out intrusive survey works with 6No. trial pits and 3No. drill holes across the site and they confirm that part of the site is made up ground up to 1.2m in depth. The report states that there is not likely to be stability issues or risk from past mining activity in the area.

Other Matters e.g. Party Wall considerations have been assessed and are not material planning matters which affect this recommendation.

## **Planning Obligations**

The site is within the Caeau Mynydd Mawr SPG area, however given the fact that the floorspace is being reduced, a contribution will not be applicable in this instance.

## **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposed place of worship is in a central location within the village and uses a site that has a history of commercial usage. Whilst there is concern from local residents, the applicant has made significant amendments to the scheme to address the areas of concern. The use is likely to be less intensive than alternative commercial uses which could be appropriately located on the application site. It is therefore considered that there is not likely to be unacceptable harm to third parties.

### RECOMMENDATION – APPROVAL

## Conditions

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 15 April 2019:-
  - 1:250 scale Proposed Site Plan. Drawing No. A-100A;
  - 1:100 scale Proposed Floor Plan. Drawing No. A-101A;
  - 1:100 scale Proposed Elevations. Drawing No. A-102A.
- 3 The development shall take place strictly in accordance with the recommendations contained in sections 6.1, 8.3 and 9.4 of the submitted Bat Report dated 8 March 2019.
- 4 The use shall be a Place of Worship only and no other use within Class D2 of the Use Classes Order 1987 as amended.
- 5 The development shall take place strictly in accordance with the approved Construction Management Plan dated 8 March 2019.
- 6 No amplification or loud speaker system shall be used outside the building.
- 7 The meeting rooms shall only be used between the hours of 8:00 and 21:00.
- 8 Religious gatherings, prayers, festivals and other meetings shall only take place within the building.
- 9 During the demolition and construction phases, no works or demolition or construction shall take place other than within the hours of 08:00 and 18:00 Monday – Friday, Saturday 08:30 and 14:00 and not at all on Sundays, Bank or Public Holidays.

## 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 In the interests of biodiversity.
- 4-9 In the interests of public protection.

## **Notes/Informatives**

- 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 if development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

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

- 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>S/38665</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	NEW DWELLING WITH OFF STREET PARKING AT LAND ADJACENT TO 9 TREBUAN, FELINFOEL, LLANELLI, SA15 4LH

<b>Applicant(s)</b>	DOWNING, 82 TALYCOED, HENDY, PONTARDDULAIS, SA4 0XR
<b>Agent</b>	DARKIN ARCHITECTS - ASHLEY WOOD, 1 JOHN STREET, LLANELLI, SA15 1UH
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Felinfoel
<b>Date of validation</b>	04/04/2019

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

## Site

The application site consists of a rectangular parcel of land fronting Tre Buan to the south east and is also bordered by the road network to the east. To the south west and north west are existing residential dwellings no. 9 and 7 respectively. The site is located in Felinfoel and within the development limits of Llanelli. Public footpath 36/74 runs along Tre Buan to the south of the site.

The site of approximately 586 square metres, consists of vacant grassland and steeply slopes from the north west to south west, as per neighbouring properties to the west. No. 7 Tre Buan is situated to the rear of the plot and is set at a higher level than the site. The surrounding area is predominantly residential in nature, particularly to the south and west, with agricultural fields located beyond no. 7 Tre Buan to the north and an open field and Felinfoel Cemetery to north east beyond no. 6 Tre Buan.

The site is not situated within any environmental or ecological designations, it does partly fall within the Coal Authority's Development High Risk Area.

The site was historically subject to outline and reserved matters permission for one dwellinghouse and garage in 1989.

## Proposal

The application seeks outline planning permission with all matters reserved for future consideration for a detached dwelling with off street parking and garden area to the rear. The submitted Proposed Site Block Plan indicates the minimum and maximum parameters for the proposed dwelling as follows:

- Width 5 - 8m;
- Depth 15-17m;
- Height 2.6-6m.

An indicative location for a soakaway is shown on the Proposed Block Plan to the north west of the site within the rear garden. No further details regarding the proposed drainage has been submitted as part of the application. Following the new measures which came into effect in Wales on 7 January 2019 regarding sustainable drainage systems (SuDS) the proposed development will require separate approval from the SuDs Approval Body (SAB).

Whilst access is reserved for future consideration, the submitted Block Plan indicates that pedestrian and vehicle access and parking will be via Tre Buan to the south of the site.

## Planning Site History

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

D5/12379	Dwelling house and garage Reserved Matters – approved	11 December 1989
D5/11527	Residential dwelling house Outline planning permission	15 May 1989
D5/674	Proposed dwelling house Outline planning permission	24 February 1975

## Planning Policy

In the context of the Authority's current Development Plan the site is within the defined development limits of Llanelli as contained in the adopted Local Development Plan (LDP). It is not the subject of any designation or allocation in the Plan. Reference is drawn to the following policies of the Plan:-

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces  
SP3 Sustainable Distribution- Settlement Framework  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
GP3 Planning Obligations  
GP4 Infrastructure and New Development  
H2 Housing within Development Limits

AH1 Affordable Housing  
TR3 Highways in Developments  
EQ4 Biodiversity

### [Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – No objections subject to the imposition of certain conditions.

**Llanelli Rural Council** - No objection provided the drainage from the additional development does not increase the hydraulic load on the public sewer.

**Local Member** - Councillor Bill Thomas has not commented to date.

**Natural Resources Wales** – No objection but refer to WG Circular 008/2018 on the use of private sewerage in new developments.

**Dwr Cymru/Welsh Water** - No objection subject to a condition restricting surface water drainage discharging to the public sewerage network.

**Coal Authority** – No objection following review of the submitted Coal Mining Risk Assessment.

**Sustainable Drainage Approval Body** – Responded advising of the new Sustainable Drainage System (SuDS) requirements and application process following the Flood and Water Management Act 2010.

**Planning Ecology** – No comments or observations.

All representations can be viewed in full on our [website](#).

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and site notice.

Three representations were received, 1 objecting, 1 commenting and 1 in support, and the matters raised are summarised as follows:-

- Road is not suitable for heavy vehicles/traffic.
- Road/plot is on a blind bend which accommodates a footpath.
- Existing issues regarding flooding after heavy rain.
- Properties in the area currently suffer from subsistence.
- There are mine shafts in the area.

- The tree and hedgerow opposite the plot results in the road being unstable due to its roots.
- Tre Buan is an un-adopted road and proposed development will require significant level of heavy traffic which has potential to cause detriment to integrity of road. Developer should be held responsible to remediate any damage caused.
- Elevated site which will require significant earthworks causing the potential for destabilisation and slippage and potential damage to the road and property.
- Drainage is a residual problem, with surface water run-off from adjacent fields being problematic for a number of years. Further connection to the public sewer and loss of hillside could be detrimental to sewer and road surface.
- 9 Tre Buan is an Edwardian bungalow built in 1910 and of distinctive design. Any development would need to be sympathetic and single storey only.
- Access to the plot may be problematic particularly for construction vehicles given steep incline and single track which could post a significant hazard.
- No drainage or flooding problems experienced at adjacent property (no. 6) in last 50 years.
- Consider the proposed development will be an improvement to the surrounding area.

All representations can be viewed in full on our [website](#).

## Appraisal

The principle of residential development is typically supported given the site is located within the development limits of Llanelli where new residential development is directed to, in line with Policies SP3, GP2 and H2. In addition, albeit a number of years ago now, planning permission was previously granted for residential development of 1 dwelling at the site.

The character of the area surrounding the site comprises existing residential dwellings. The style and design of properties in the immediate vicinity vary, with no. 9 Tre Buan being a bungalow, whilst nos. 6, 7 and 10 are two storey.

The application site slopes steeply from its north west to south west boundary, as per existing dwellings to the east. The application whilst being outline with all matters reserved provides minimum and maximum parameters for the proposed dwelling. The parameters specified within the application and shown on the Proposed Site Block Plan are considered suitable for the size of the site and character and appearance of the surrounding area as required by LDP Policy GP1. The design and appearance of the proposed property, including landscaping will be dealt with under future reserved matters submission.

The maximum height parameter of 6m is considered to be in accordance with existing adjacent properties and would not have an adverse impact upon the character and appearance of the area, amenity of existing adjacent occupiers or result in detrimental landscape/visual impact.

Highways initially raised concerns regarding the unclassified highway leading to the site. However, following review of the proposal and undertaking searches in the wider area, Highways confirmed that given it is one dwelling and the movements associated with the dwelling would be low, they are happy with the proposal subject to a scheme of parking

and turning within the curtilage being submitted as part of a future reserved matters application and other conditions. On this basis, the proposal is considered to comply with highway requirements regarding access and parking provision within Policy TR3.

There are no biodiversity impacts associated with the proposal and drainage matters would be considered as part of future Reserved Matters application, whilst the details would be dealt with via the new SuDS application process. The Coal Authority have confirmed that they have no objections to the proposal following review of the submitted Coal Mining Risk Assessment and require no conditions to be imposed.

## **Planning Obligations**

A draft Unilateral Undertaking has been submitted by the applicant's solicitor regarding a commuted payment to contribute towards the provision of affordable housing in the locality as part of the proposal. As such, the proposal complies with the requirements regarding affordable housing within LDP Policy AH1 (Affordable Housing).

## **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **Conclusion**

After careful consideration of the scheme as submitted it is concluded on balance that the proposed dwelling is acceptable given the application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and therefore there is no in-principle objection to developing the site for residential use. The proposed parameters of the dwelling are considered to be compatible and conform to the character and appearance of the surrounding area in line with Policy GP1.

The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and therefore there is no in-principle objection to developing the site for residential use.

Concern has been raised locally regarding the existing road access to the site. Highways have formally responded with no objections to the proposal subject to certain conditions including the requirement for a scheme of parking and turning within the curtilage to be submitted as part of any reserved matters application. Issues of drainage and mine shafts have also been raised by third parties. The Coal Authority have confirmed they have no objection and drainage matters will be scrutinised by the separate SuDS application process which requires approval from the Sustainable Drainage Approval Body (SAB) prior to commencement of development.

On balance, the proposal is considered to be in accordance with the above policies.

## RECOMMENDATION – APPROVAL

## Conditions

- 1 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
  - a) the expiration of five years from the date of this outline planning permission;
  - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 2 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 3 Development shall not commence until detailed plans of the layout, scale, appearance and landscaping of the development, together with the means of access thereto, have been submitted to and been approved in writing by the Local Planning Authority.
- 4 The land subject to this permission is as identified on the 1:1250 scale Site Location Plan drawing no. NH319 001 received 26 February 2019 and Proposed Site Block Plan scale 1:500 drawing no. NH319 003 Rev A received 2 April 2019.
- 5 Any reserved matters application shall be accompanied by full cross sections, finished floor levels and means of enclosure so that the proposal can be seen in the context of the road and the surrounding dwellings.
- 6 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
- 7 The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport Services) Typical Layout No. 5 specification, prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 8 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole Trebuan Road frontage within 2.4 metres of the near edge of the carriageway.
- 9 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

- 10 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 or connected into, existing highway surface water drains.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
  - 2 The application is in outline only.
  - 3+5 In the interests of visual amenity.
  - 4 For the avoidance of doubt.
  - 6 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment
- 7-10 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 proposed development complies with Policy SP1, GP1 & GP2 of the LDP in that it is sensitive infilling within the settlement development limits and is appropriate in scale and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.
- The proposed development complies with Policies TR3 in that the proposal is not likely to be detrimental to highway safety.
- The proposed development complies with Policy AH1 in that the applicant has submitted a draft Unilateral Undertaking under Section 106 to provide a contribution based on £58.78 per square metre internal floor area for affordable housing.

## Notes/Informatives

- 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 The applicant/developer's attention is drawn to the signed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £58.78 per square metre internal floor area.
  - 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).
- Please see the relevant responses from Dwr Cymru/Welsh Water, The Coal Authority and the Council's Sustainable Drainage Body and refer to the recommendations and advice contained therein.