

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 14 TACHWEDD 2019
ON 14 NOVEMBER 2019**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal Del/
Area South*



**Cyngor Sir Gâr
Carmarthenshire**
County Council



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 NOVEMBER 2019
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/39156
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Application Type	Reserved Matters
Proposal & Location	RESERVED MATTERS ON ALL CONDITIONS TO OUTLINE CONSENT S/36946 (CONSTRUCTION OF ONE DETACHED DWELLING) - RESUBMISSION OF S/38167, REFUSED ON 11.02.2019 AT LAND AT REAR OF 61 PWLL ROAD, PWLL, LLANELLI, SA15 4BD

Applicant(s)	MRS GOWER, C/O AGENT, ,
Agent	PRIME ARCHITECTURE LTD - CELLAN JONES, UNIT 4, 3 LLANDEILO ROAD, CROSS HANDS, LLANELLI, SA14 6NA
Case Officer	Zoe James
Ward	Hengoed
Date of validation	18/07/2019

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 shaped parcel of land located on the western side of Tyle Catherine in Pwll. It forms part of the sloping rear garden of the existing property of 61 Pwll Road which is set below the site and adjacent to the junction of Tyle Catherine with Pwll Road.

The site has a width and depth of 22 and 18.5 metres respectively and consists of a lawned area. It slopes down gradually towards its southern boundary which is currently undefined. The site's road frontage is characterised by an established hedgerow that also extends along its northern boundary and separates the land from the curtilages of two neighbouring semi-detached properties that front towards and overlook the site. The site's rear boundary consists of timber fencing which separates it from the rear garden of the adjacent property of Pwll Road.

The site is located in a primarily residential area consisting of a mix of detached and semi-detached properties. The neighbouring properties of Pwll Road and Elgin Road have long rear gardens while two new detached properties have been built on the opposite side of Tyle Catherine in recent years.

Proposal

The application provides details concerning the means of access, appearance, landscape and layout of the detached dwelling approved outline planning permission in May 2018. The dwelling is proposed to be accessed via a new driveway off Tyle Catherine, with a detached double garage and parking area proposed in the southern part of the site. The detached dwelling is proposed in the northern part of the site facing south. Garden and amenity space is proposed to the north and west of the dwelling. Due to the sloping nature of the site, this amenity space is tiered upwards in a northerly direction.

The proposed dwelling is split level taking account of the sites topography with three storeys to the front elevation and two to the rear. The front elevation facing south includes a balcony at first floor to be accessed from the dining area and living room. Also at first floor is an open plan kitchen and living area along with utility room. At ground floor a master bedroom with separate walk-in wardrobe and en-suite bathroom is proposed alongside a study, utility room, bathroom and second bedroom. The second floor comprises two further bedrooms, bathroom and open plan landing. The windows proposed on the rear elevation of the second floor are obscure glazing to prevent any loss of privacy or overlooking.

The proposed dwelling is 10.5 metres deep and around 12.9m wide, the height to the front is just over 8m from the finished floor level and 6.9m to the rear from the finished floor level. The dimensions of the dwelling are all within the parameters approved as part of the outline permission.

The external finishes to the proposed development consist of white render, timber cladding and Bradstone Keinton stone to the walls, a fibre cement tile is proposed for the roof, with dark grey PVCu doors and windows. A 1.8m high close boarded fence is proposed along the north and western boundaries with a retaining wall along the east and southern boundaries. Block paving is proposed for the driveway and parking area with new shrub planting and landscaping along part of the east and southern boundaries.

The current reserved matters submission follows previously refused application (reference. S/38167) in February 2019 on the basis that the scale of the dwelling failed to conform to the parameters approved under the outline permission, the layout and positioning of the fenestration negatively impacted upon the amenity of neighbouring residents and the lack of good quality soft landscaping within the scheme. The re-submission largely seeks to address the previous refusal reasons at the site.

Planning Site History

The following planning applications of relevance have previously been submitted at the site:

S/38167	RESERVED MATTERS TO OUTLINE PLANNING PERMISSION S/36946 - ACCESS, APPEARANCE, LANDSCAPING, LAYOUT & SCALE Reserved Matters Refused	11/02/2019
S/36946	CONSTRUCTION OF ONE DETACHED DWELLING Outline Granted	25/05/2018

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
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.

Head of Public Protection - No observations received to date.

Llanelli Rural Council – Object on the grounds that there are concerns over highway safety regarding access and exiting the site. Also consider that the proposed dwelling is much larger than surrounding properties, appears excessive for the plot and may have an overbearing impact on neighbouring properties.

Local Member(s) - Councillors Sian Caiach and Sue Phillips have not commented to date.

Planning Ecology – no observations.

Natural Resources Wales – no observations received to date.

Dwr Cymru/Welsh Water – no comments subject to compliance with conditions imposed at outline. Awaiting further comments from amended drainage scheme submitted.

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 a site notice displayed on Tyle Catherine adjacent to the site.

Seven representations were received, all objecting, the matters raised are summarised as follows:

- Despite minimal changes being made to the previous reserved matters application the proposed development still remains incongruous and not absorbed by the landscape.
- Deeply concerned property is not in keeping with other houses, despite ridge height being reduced slightly it is still a three storey house compared to 2 storey houses in the area.
- Layout and siting is inappropriate and unsympathetic to the character and appearance of the local environment.
- The hill on which the site is located is already overdeveloped and crowded.
- The materials proposed are not in keeping with existing properties.
- Rear of the property resembles a block of flats.
- Height of the proposal is the same as property directly to the rear so will take all daylight away and cast a shadow over property until late evening with no daylight in the winter having a serious impact on health and wellbeing.
- Height of the property is still a considerable concern having only been reduced slightly from the previous submission.
- Whilst the appearance of the rear elevation has been amended in this application, property to the rear would still be overlooked and would have views out onto this 'unpleasant edifice'.
- No. 1 Bay View would need to stand on a chair to look out of their window and see beyond the roof of the proposed dwelling.
- Consider the measurements are inaccurate as no. 2 Bay View sits much lower than no. 1 Bay View.
- Plans do not accurately show position of 1 Bay View, height of window level and room is incorrect.
- Family have occupied no. 2 Bay View since 1934 and enjoyed the privacy of their home which will be greatly compromised by the plans. Windows and glass look directly into property to the rear and will no longer be able to enjoy the garden through loss of privacy and light.
- Unaware outline planning permission was granted and a number of neighbours also unaware otherwise would have objected previously.
- Disappointed not to have received neighbour letter by post, despite being directly affected by the proposal.
- Plans show no space for vehicles to turn within the plot and would need to reverse out onto Tyle Catherine where visibility is too poor.
- Tyle Catherine is steep and narrow and heavily congested.
- Access proposals are not in accordance with accepted safety standards and will generate conflict between pedestrians, cyclists and vehicular movements.
- Local primary school and church in close proximity which increases congestion and the need for parking in the area.

- The development and additional traffic will put residents at risk and ruin the village for the sake of making a profit.
- The proposal will dramatically reduce the value of my property, if it does not reduce it to rubble.
- None of these grounds for refusal (of the previous RM application) have been addressed in this new application. I fail to understand how this application was allowed at all.
- I would ask for a site visit to enable the consultees to personally put forward their objections in the place where they are best understood.
- Previous plans rejected on size, yet the footprint of this proposal has not changed. The mass of the building has not been addressed as it is identical to the original plan and still dominates the land where it sits and surrounding properties.
- Can we ensure that the frosted glass in the top rear windows will be retained to maintain privacy?
- The plans suggest that the top floor of the property could be rented out as a holiday home or bed and breakfast.
- Since the application has been submitted we have had our home re-valued and local estate agents suggest our home may lose at least £30,000 should the proposed dwelling go ahead. This is a huge amount for a couple to lose on their first home.
- Another issue that has come to our attention is the potential conflict of interest that may be present between the individuals who wish to build and an individual who sits on the County's Planning Committee.
- House has been selfishly planned with no consideration to neighbours.
- Request the individuals re-consider the plans as imagine they would want to live in a happy and friendly community.
- Reference to approximate dimensions are not acceptable.
- Concerns regarding the structural damage and water drainage problems to adjacent properties and the negative impact the proposed development will have on this.
- The 'Water table' beneath 59A Pwll Road has been breached resulting in considerable excess work and delay in completing that property.
- Given the lower level of property compared to the site, concerns are raised regarding flow of surface water onto his property, requests a Risk Analysis for a soakaway is completed and forwarded to him with future potential litigation measures before permission is granted.
- Plans show the ground floor to be dug further into the ground resulting in more excavation works and the land becoming more unstable than it already is.
- Consider the proposal could do serious and expensive damage to neighbouring properties. The development may destabilise neighbouring properties and have a domino effect causing problems throughout the street.
- Considerable excavation needed for the property, foundations of 29 Elgin Road were compromised when 3 Bay View was built, similar concerns for this proposal. The front path of my property, (2 Bay View) is where the old and fragile sewers run, and this path is already drifting downwards towards the proposed dwelling.
- Aware that a retaining wall and reinforcement of the road was required by the Local Authority a number of years ago behind 1 & 2 Bay View, as Elgin Road was at risk of slipping down the hill.
- There are mineshafts nearby and the proposed development would have a dramatic and negative impact on the stability of neighbouring properties.

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

Appraisal

Principle of development

The principle of residential development of one detached dwelling at the site has already been accepted through the granting of outline planning permission in May 2018. A detached dwellinghouse of the following parameters:

- Width 8-15m
- Depth 10-18m
- Ridge Height 7-13m

was granted outline planning permission by Planning Committee for the site. In addition, 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 of the Local Development Plan. The character of the area surrounding the site comprises existing residential dwellings of varying size and quality.

Scale and Design of the Dwelling

The proposed dwelling complies with the maximum parameters approved at outline stage and therefore the size and scale of the development is acceptable on this basis. A number of objections from third parties consider that the minimal reduction in the height of the dwelling since the previous reserved matters submission is unacceptable and fails to address their concerns. However, the height does comply with the details previously approved as part of the outline permission.

Comments are raised regarding the materials and design of the proposed property. It is noted that the external appearance of the proposed dwelling is of a contemporary appearance and utilises a varied palette of materials. However, there is no strong character or materials utilised in the existing properties in the immediate area surrounding the site, with new build properties on Tyle Catherine incorporating different elevational treatments to existing properties fronting Elgin Road.

Privacy/Overbearing/ Loss of Light Impact

Numerous concerns are raised regarding loss of privacy and light as a result of the development. Turning firstly to potential loss of privacy, the proposed dwelling comprises two storeys to the rear elevation. The first floor includes a door and two windows for the kitchen and living room. Given the sloping nature of the site and adjacent land, the glazing at this level does not allow for any overlooking. In addition, a 1.8m high close boarded fence is proposed along the northern boundary between the site and no.s 1 and 2 Bay View.

At first floor level, two windows are proposed for bedrooms 3 and 4 with a roof velux for the bathroom on the rear elevation. As shown on the Proposed Elevations, the bedroom windows are proposed to be obscure glazing to ensure there is no loss of privacy or potential for overlooking. A condition is suggested to ensure that obscure glazing is retained thereafter to ensure for future protection of privacy.

To the side elevations fronting Tyle Catherine, high level horizontal glazing is proposed alongside obscure glazing. As such, loss of privacy is not considered to be an issue. On the west elevation, a door and two windows are proposed at ground floor and two high level horizontal windows at first floor. Given the site levels, proposed boundary treatment and design of the windows at first floor there is no concerns regarding loss of privacy or overlooking from this elevation either.

In terms of loss of light or overbearance, the positioning of the development within the site is considered to result in sufficient separating distances to properties so as to safeguard against any unacceptable impacts upon existing living standards. In addition, as highlighted previously the height and size of the dwelling complies with the parameters previously approved by the Authority. The reserved matters submission therefore accords with the requirements of policies GP1 of the LDP in terms of its impact upon neighbouring properties and their occupiers.

Highway Impacts

Turning to the perceived highway impact of the development, the site's central location along Tyle Catherine combined with the straight alignment of the road will allow for the creation of a safe access to the development. The Authority's Head of Highways and Transport has reviewed the submitted details and confirmed no objection to the proposed development subject to conditions. In terms of additional traffic and congestion in the area, the vehicular movements likely to be generated by an additional dwelling will not be of such a level that they could not be safely accommodated by the existing road network. The proposal therefore meets the requirements of policy TR3 of the LDP.

Drainage Matters

The Authority's Sustainable Drainage Approval Body (SAB) requested additional information to assess the feasibility of the drainage proposals. Following this additional survey work was undertaken by consultants on behalf of the applicant and a revised drainage scheme submitted on the Drainage Layout Plan. The SAB team have confirmed that the proposals are acceptable in principle. They have advised that confirmation is received from Dwr Cymru Welsh Water following the amended plan submitted and the proposal to connect into their infrastructure. Re-consultation has been sent to Dwr Cymru Welsh Water, no further comments have been received as yet. Based on the foregoing it is considered that the proposal complies with policy EP3 of the LDP relating to drainage.

Other Matters

Turning to the other matters raised, the impact on property value is not a planning consideration.

Finally, concerns regarding the presence of a nearby mineshaft upon the development are misjudged in that the site is located outside the high risk development area as defined by the Coal Authority. The principle of residential development at the site has already been accepted, Building Regulations ensure that any development is structurally sound.

Planning Obligations

The outline planning permission is subject to a Unilateral Undertaking under Section 106 of the Town and Country Planning Act which sets out the agreement to make a

contribution of £53.35 per square metre of internal floor space of the proposed dwelling towards the provision of 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 reserved matters submission is acceptable given it complies with the details and parameters approved as part of the outline planning permission. The design and material palette proposed is considered to be acceptable given the varying appearance of surrounding properties. The design and siting of the proposed dwelling within the topography of the site along with suitable fenestration is not considered to result in an adverse impact on the amenity of neighbouring residents. Furthermore, conditions are imposed to ensure mitigation measures such as obscure glazing and boundary fencing and implemented and maintained thereafter. The proposal is therefore considered to comply with the requirements of LDP Policy GP1 regarding the scale, siting and height of the development and its impact on the amenity of adjacent properties.

The Highway Authority have no objections to the proposed application subject to the imposition of conditions and the new dwelling is not considered to have an unacceptable impact on the existing highway network. The SAB team have confirmed the proposed drainage scheme for the site is acceptable in principle. As such, the proposal complies with policies TR3 and EP3 of the LDP.

Based on the foregoing, the application is put forward with a favourable recommendation subject to the following conditions.

RECOMMENDATION – APPROVAL

Conditions

1. The development shall be commenced before whichever is the later of:-
 - a) the expiration of five years from the date of the outline planning permission to which this development relates

or

- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
2. The development hereby permitted shall be carried out strictly in accordance with the following plans and documents:-
- Site Block and Location Plan scale 1:200 and 1:1250 (drawing no. 684 05 Rev A) received 8 July 2019;
 - Proposed Site Plan scale 1:200 drawing no. 684 03 Rev C received 8 July 2019;
 - Proposed Site Section A-A scale 1:200 drawing no. 684 04 Rev C received 8 July 2019;
 - Proposed Floor Plans and Elevations scale 1:200 drawing no. 684 01 Rev C received 8 July 2019;
 - Proposed Garage Floor Plans and Elevations scale 1:100 and 1:50 drawing no. 684 02 received 8 July 2019;
 - Proposed Drainage Layout scale 1:200 drawing no. 3151 201 received 8 October 2019.
3. The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 1 (specification for which is attached to this planning permission), 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 a minimum distance of 5 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 5 metres from the edge of the carriageway.
6. Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 25 shall be formed and thereafter retained in perpetuity, to the north side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.
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. No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

11. The access shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
12. The works to provide the boundary treatments hereby approved shall be completed before the dwelling is occupied. The development shall be carried out in accordance with the approved details.
13. Before the development hereby permitted is first brought into use the windows for bedrooms 3 and 4 at the second floor and ensuite bathroom window at ground floor level (as shown on Proposed Floor Plans and Elevations drawing no. 684 01 Rev C) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.
14. The landscaping as shown on the Proposed Site Plan (drawing no. 684 03 Rev C) shall be fully implemented in the first available planting and seeding seasons following commencement of development.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity.
- 3-11 In the interest of Highway Safety.
- 12 In the interest of residential amenity.
- 13 In the interest of privacy and residential amenity.
- 14 To ensure that the development enhances the character and appearance of the site and ensures the use of good quality hard and soft landscaping.

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 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).

Application No	S/39221
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Application Type	Outline
Proposal & Location	ONE NEW HOME AT LAND AT REAR OF 29 LONG ROW, Y FRON, FELINFOEL, LLANELLI, SA15 4LW

Applicant(s)	SUSAN HOOPER, 29, LONG ROW, FELINFOEL, LLANELLI, SA15 4LW
Agent	DARKIN ARCHITECTS - DAVID DARKIN, 16 QUEEN VICTORIA ROAD, LLANELLI, SA15 2TL
Case Officer	Zoe James
Ward	Felinfoel
Date of validation	30/07/2019

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 an irregular shaped parcel of land located off the eastern side of Y Fron in Felinfoel, Llanelli. The site alongside land to the north and south forms part of the rear gardens of the terraced properties of Long Row. The land rises steeply in a westerly direction towards its frontage with Y Fron. The land previously formed part of the rear garden of no. 29 Long Row and is separated from the main garden area by existing trees and some outbuildings. The site is currently vacant and heavily overgrown with an existing garage and shed towards the north western boundary. The sites frontage onto Y Fron is characterised by dilapidated fencing and existing hedgerow and trees.

Vehicular access to the site is via Y Fron from Tanyrhodyn Road. Y Fron comprises terraced properties fronting the roadway with on street parking along the western side of the street. The eastern side of the road comprises garages, domestic outbuildings and the former Felinfoel Community Centre and its adjacent car park. Otherwise the site is located within a predominantly residential area.

The site is not situated within any environmental or ecological designations.

The site was previously granted outline planning permission for two semi-detached dwellinghouses in October 2013.

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 side and rear. The application seeks to establish the principle of developing one detached property at the site along with retention of the existing garage in the north western corner and the existing shed on the eastern boundary.

An indicative Site Layout Plan along with cross sections have been submitted to demonstrate how the site could be developed in an acceptable manner. The layout shows the siting of the detached dwelling centrally within the site with the creation of three car parking spaces to the front. The submitted Proposed Site Block Plan indicates the minimum and maximum parameters for the proposed dwelling as follows:

- Width 6 – 10.5m;
- Depth 8-9m;
- Height on south east elevation 9m;
- Height on north west elevation 6m.

The positioning of the proposed dwelling shown on the indicative layout plan and maximum height parameters proposed are similar to that approved on the indicative plan and sections submitted for the previous outline permission at the site for two semi-detached dwellings.

The Proposed Site Block Plan indicates that disposal of surface water will be to the public sewer. Dwr Cymru Welsh Water have confirmed this is acceptable subject to condition. 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 Site Block Plan indicates that pedestrian and vehicle access and parking will be via Y Fron to the west of the site. The Proposed Site Plan shows the existing Sycamore Tree to remain in the south eastern corner of the site.

Planning Site History

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

S/28306 –	CONSTRUCTION OF TWO SEMI-DETACHED HOUSES	
	Outline Planning Granted	10/10/2013

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 there is no detrimental impact on the amenity and privacy of neighbouring dwellings and no detrimental impact on highway safety.

Local Member(s) - 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 allowing surface water disposal to the public combined sewerage system at an attenuated rate of 3l/s.

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 objections subject to conditions imposed regarding construction exclusion zone for onsite trees and sensitive clearance strategy for nesting birds.

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, two objecting, 1 commenting/with queries. The matters raised are summarised as follows:

- The initial objection received stated that residents were not aware of the planning application and mistook the site notice for a notice previously displayed for another site along Y Fron. – Please note following this neighbour consultation letters were issued.
- Detrimental and lasting impact on quality of life.
- The size of the proposed development will be out of character in relation to the surrounding properties. Scale and mass in relation to neighbouring properties is significantly different.
- Proposal will significantly impact amenity of property and neighbours properties due to loss of privacy and overshadowing. The lack of distance between proposed dwelling and objector's property will enable a direct line of sight into living room. Consider a distance of 22m is generally acceptable as minimum distance between directly facing properties.
- The height will cause overshadowing and loss of light into living room during morning period of the day.
- The 3 car parking spaces proposed are optimistic at best and would compromise the safety of other road users and pedestrians. Cars indicated on the submitted plan are not considered realistic representative of a real world scenario.
- Street is not very wide and always has cars parked on one side resulting in only one car being able to drive up at a time.
- Cars leaving the property would have restricted views of the road and would be a danger to any other vehicle or pedestrian.

Queries raised regarding:

- Dates on the submitted plans;
- Privacy impacts;
- Maintenance of borders/trees on site;
- Potential impact of drainage;
- Extra noise from additional neighbours.

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

Appraisal

Principle of development

The principle of residential development at the site has already been accepted through the granting of outline planning permission in 2013 for two semi-detached properties. The current application seeks permission for one detached property in similar positioning to the previously approved application.

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.

Impact upon character and appearance of the area and neighbouring occupiers

Third parties have raised concerns regarding the impact of the proposed dwelling on the character and appearance of the area and be out of keeping with existing properties in the area. Y Fron comprises a row of two storey terraced properties to the west, with the area of land to the east of Y Fron, wherein the site is located, is characterised by a mix domestic outbuildings and garages set within the rear gardens of the properties of Long Row. Whilst there are currently no residential properties along this side of the roadway, with careful siting and design the erection of a modestly sized detached property would not be visually discordant with the prevailing spatial character or visual amenity of the surrounding area.

The application is outline with all matters reserved, so the layout, scale and appearance of the dwelling is reserved for future consideration. However, in line with requirements a Proposed Site Plan has been submitted along with minimum and maximum parameters for the height, width and depth of the dwelling and site sections. The indicative details submitted with the application show the siting of a split level dwelling having a single storey front elevation of a modest scale and massing that would be unobtrusive and sit comfortably within the wider street scene.

Concerns have also been raised regarding the development being overbearing and resulting in loss of privacy and loss of light for neighbouring occupiers. The site is sufficiently large to accommodate the dwelling together with associated parking and amenity area without overdeveloping the land or causing any unacceptable material harm to the living standards of neighbouring occupiers. In terms of the latter, the front and rear elevations of the dwellings will be sufficiently distant of those of the neighbouring properties of Y Fron to the front and Long Row to the rear to safeguard against any unacceptable impacts by way of loss of privacy and light. The maximum height of the dwelling facing Y Fron will be 6m compared to the existing terraced properties of around 8m in height.

In terms of additional noise associated with the proposed development, it is accepted the development will result in some noise and disruption during the period of construction works, any impact will be restricted to the duration of the build. Any additional noise resulting from one new residential property in an existing residential area is not considered to have an adverse impact on amenity of neighbouring occupiers.

Highway Impacts

Comments have also been received regarding the parking and visibility for vehicles entering and exiting the site, along with the concerns raised regarding the existing parking provision along Y Fron. The Head of Highways and Transport has reviewed the application and confirmed that they have no objections to the scheme subject to the imposition of certain conditions regarding the access and parking arrangements.

Biodiversity Impacts

The Planning Ecologist has reviewed the site and considered the proposed development along with the submitted information regarding existing trees and hedgerows on site and has raised no objection subject to conditions regarding a construction exclusion zone for the root protection area of the trees and submission of a sensitive clearance strategy for birds and reptiles prior to commencement of development.

Drainage Matters

Drainage matters would be considered as part of a future Reserved Matters application, whilst the details would be dealt with via the new SuDS application process. Dwr Cymru Welsh Water have raised no objection to the principle of a new dwelling at the site and have allowed disposal of surface water via the public sewerage system subject to this being via an attenuation device that discharges at a maximum rate of 3l/s.

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 proposed residential use is compatible with neighbouring land uses with the site being of sufficient size to accommodate the proposed dwelling without detracting from the spatial character or appearance of the surrounding area. Moreover, with the careful siting and design of the dwelling, the proposal will cause no unacceptable material harm to the residential amenity of neighbouring occupiers. Furthermore, outline planning permission has previously been granted for two semi-detached properties at the site.

Furthermore, there are no highway, ecology or public service objections to the development.

Based on the foregoing, the application is put forward with a favourable recommendation.

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 1:1000 scale Site Location Plan drawing no. NH244 001 Rev A received 8 July 2019 and Proposed Site Plan scale 1:200 drawing no. NH244 005 Rev H received 28 October 2019.
- 5 Any subsequent reserved matters or full planning application shall be accompanied by detailed cross sections and levels of the site which should clearly detail the existing and proposed finished levels of the development in relation to those of the adjacent roadway and adjacent land and properties to the side and rear, along with details of means of enclosure.
- 6 Surface water flows from the development shall only communicate with the (public combined sewer/public surface water sewer) through an attenuation device that discharges at a rate not exceeding 3l/s.
- 7 Development shall not begin until details of the proposed attenuation device for the surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details prior to the occupation of the dwelling.
- 8 The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 9 The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5.0 metres from the edge of the carriageway.
- 10 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 Y Fron Road frontage within 2.0 metres of the near edge of the highway.

- 11 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking 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.
- 12 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.
- 13 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 14 A detailed landscaping scheme for the whole site including the retention of any existing landscape features and the indication of species, size and number of trees and/or shrubs to be planted shall be submitted to and specifically approved in writing by the Local Planning Authority prior to the commencement of the development and shall, following approval of such a scheme, be implemented in the first planting season following commencement of the development or at such other time as may be specifically approved in writing by the Local Planning Authority.
- 15 Prior to the commencement of any development, there shall be submitted to and approved in writing by the Local Planning Authority, a scheme for the eradication of the invasive species (Japanese Knotweed) from the site, along with a timetable for implementation. The scheme shall be implemented in accordance with the approved details.
- 16 Prior to the commencement of any development, details of an appropriate construction exclusion zone (CEZ) in line with a root protection plan must be submitted and approved in writing by the Local Planning Authority. The approved CEZ must be adopted on site and erected prior to the commencement of any works.
- 17 A sensitive clearance strategy for birds and reptiles should be prepared by a competent ecologist and submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works and the strategy implemented as approved.

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 order to ensure a satisfactory layout of the site and in the interest of visual amenities.
- 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 To ensure the installation of an appropriate drainage scheme and to prevent pollution of the environment.
- 8-13 In the interest of highway safety.
- 14 In the interest of visual amenity.
- 15 To ensure that all ground contamination is adequately dealt with.
- 16 To ensure the protection of existing trees.
- 17 To ensure compliance with the requirements of the Wildlife and Countryside Act 1981.

Notes

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

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

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

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

- 2 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).
- Please see the relevant responses from Dwr Cymru/Welsh Water, the Council's Head of Highways, Planning Ecologist and Sustainable Urban Drainage Body and refer to the recommendations and advice contained therein.

Application No	S/39430
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF SINGLE STOREY KITCHEN EXTENSION WITH FIRST FLOOR BALCONY AREA, PROPOSED ABOVE EXTENSION AT 146 PENTRE NICKLAUS VILLAGE, LLANELLI, SA15 2DF

Applicant(s)	MRS JESSICA JONES, 146 PENTRE NICKLAUS VILLAGE, LLANELLI, SA15 2DF
Agent	,
Case Officer	Robert Davies
Ward	Glan Y Mor
Date of validation	09/09/2019

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 146 Pentre Nicklaus, a detached two storey property located on the modern estate at Machynys in Llanelli. The property occupies a relatively central position within the site, surrounded by residential dwellings. The property has

already been extended by virtue of a single storey pitched roof sun room extension to the rear.

Proposal

The application seeks full planning permission to construct a new single storey flat roof kitchen extension to the rear of the property and to the immediate east of the recent sun room extension. The proposed extension is 4.5m in width and 4m in depth. It is also proposed to utilise the flat roof above the extension as a first floor balcony area accessed via the master bedroom. A solid 1.8m high obscure glazed screen is proposed on the eastern side of the proposed balcony which faces 147 Pentre Nicklaus.

Planning Site History

S/38988 –	Installation of a new window on the ground floor of the south elevation for the property Full Granted	11/07/2019
S/32387 -	Single storey rear summer room extension Full Granted	27/08/2015
S/23617 -	Development of 4 no. new dwellings within existing residential development. 4 no plots are amendments to existing approved scheme, including the construction of a new private (unadopted) access road and shared surface cul de sac Full Granted	11/11/2010
S/23597 -	4 No. dwellings within existing residential development. 4 No. plots are amendments to existing approved scheme - Plots 146, 147, 148 & 149 Full Granted	04/10/2010
S/01840 -	Construction of golf course and driving range with associated landscaping and water features being part of the millennium coastal park development Full Granted	23/08/1999
S/00091 -	Millennium coastal park ii - Provision of 9 hole golf course, landscaped parkland, ponds, habitat creation, promenade, cycleway, footpaths, lookout points, visitor facilities, car parking and associated land reclamation and infrastructure works County Permission Under Regulation 3	25/11/1996
D5/13569 –	Landscaping, tree and shrub planting, creation of a lake, forming rough track roads and car parks Granted	04/04/1991

D5/9777 – Construction of road and general landscaping
and remodelling of derelict land at Machynys
Granted

18/05/1987

Planning Policy

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

GP1 Sustainability and High Quality Design
GP6 Extensions

[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

Llanelli Town Council – No objection subject to the applicant demonstrating that the development will not infringe upon the privacy of neighbouring properties.

Local Members – Cllrs J Prosser and L Roberts have not responded

Dwr Cymru/Welsh Water – No objection

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

Summary of Public Representations

Six neighbouring properties have been consulted. To date, four neighbouring properties have raised the following concerns and objections:-

- Loss of privacy as a result of direct overlooking from the first floor balcony. The extension and balcony above will result in the development being closer to existing properties.
- If approved the proposed balcony will set an undesirable precedent for non-coastal / non-golf course fronted houses to have balconies.
- Increased noise disturbance from the balcony.
- The property has already been extended, and yet another extension is proposed that is out of keeping with the character of the area.
- Devaluation of property.

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

Appraisal

As aforementioned, four letters of objection have been received from the owners of numbers 143 (yet to be built plot) 144, 156 and 157 Pentre Nicklaus. The material reasons for concern and objection raised will now be addressed individually however as members will be aware, devaluation of property is not a material planning consideration.

The main reason for concern and objection raised seems to relate to loss of privacy by virtue of direct overlooking from the proposed first floor balcony. Whilst the proposed balcony will be 4m closer to the rear boundary than the existing Juliette balcony currently serving the master bedroom, there will still be a separation distance of approximately 23.5m and 25m from the rear elevation of the proposed extension and the rear elevations of no's 156 and 157 respectively. This separation distance in the LPA's opinion will ensure that there is not an unacceptable degree of overlooking of these two properties from the proposed balcony.

With regards to the privacy and amenity of no's 144 and the yet to be built albeit approved dwelling on Plot 143, these properties are to the west of the application site and separated from the proposed extension/balcony by the sun room extension built at the application site and a private access road/drive. The pitched roof of the sun room extension restricts the line of sight to these properties. The dwelling built at 144 and the approved scheme at 143 are designed to ensure that the main amenity areas and habitable rooms are on the western side of the dwellings. The eastern side of these dwellings facing towards the application site largely consist of their front driveways, garage projections and less habitable internal rooms. Therefore again it is considered that the proposed balcony for the above reasons will not compromise the privacy and amenity of these properties.

As aforementioned, a 1.8m high solid obscure glazed screen is proposed to the eastern side of the balcony to ensure that there is no immediate direct overlooking of no.147. This property has not objected to the proposed development and a condition to ensure that this screen is implemented can be imposed on any planning permission granted.

Concerns have also been raised over noise and disturbance from the proposed balcony. In this respect the proposed balcony is to be accessed from the master bedroom and therefore is only likely to be used by the residents of the dwelling themselves. There is no direct access from the garden area and therefore the proposed balcony is unlikely to be used as a social space.

In approving this application the LPA is not setting an undesirable precedent for other balcony proposals on the estate. In addition to the coastal and golf course fronted dwellings a number of the more centralised dwellings have added balcony extensions, with each case assessed on its own individual merits.

As for the scale and design of the proposed extension itself, this is considered to be acceptable and in keeping with the character of the property itself and immediate environs. An extension of this scale and design would not normally require planning permission however because permitted development rights were removed on this development and a balcony is proposed, planning permission is required.

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 proposed development is considered to be acceptable in size, scale and design terms in keeping with its immediate environs.

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:-
 - Existing front and side elevation 1:100 @ A4 (19/47/02) received 2nd September, 2019
 - Existing ground and first floor plan 1:100 @ A4 (19/47/01) received 2nd September, 2019
 - Existing side and rear elevation 1:100 @ A4 (19/47/03) received 2nd September, 2019
 - Proposed ground floor plan 1:100 @ A4 (19/47/05) received 2nd September, 2019
 - Site and block plan 1:1250; 1:500 @ A4 (19/47/08) received 2nd September, 2019
 - Section of extension A-A 1:25 @ A4 (19/47/06) received 2nd September, 2019
 - Proposed first floor plan 1:100 @ A4 (19/47/09) received 6th September, 2019
 - Proposed side and rear elevation 1:100 @ A4 (19/47/04B) received 23rd September, 2019
- 3 Prior to the beneficial use of the balcony hereby approved the 1.8m high obscure glazed screen to the eastern side of the balcony as shown on the approved drawings shall be provided and thereafter retained as such in perpetuity

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 In the interest of visual amenity.
- 3 To preserve 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 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 proposed development complies with Policy GP6 of the LDP in that it is appropriate in terms of scale and design, sufficient amenity/garden space remains, and it shall not adversely affect the amenities of the occupiers of the neighbouring properties.

Notes/Informatives

- 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).
- 3 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).

Application No	S/39538
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Application Type	Variation of Planning Condition(s)
Proposal & Location	VARIATION OF CONDITION 2 ON S/36465 (PLANS) AT LAND ADJ DYLAN HOUSING ESTATE, LLANELLI, SA14 9AN

Applicant(s)	CARMARTHENSHIRE COUNTY COUNCIL, EAST GATE, LANDMARK BUILDING, ISLAND PLACE, LLANELLI, SA31 1HQ
Agent	LAWRAY ARCHITECTS - MATTHEW RICHARDS, 1 CAE GWYRDD, TONGWYNLAIS, CARDIFF, CF15 7AB
Case Officer	Zoe James
Ward	Bynea
Date of validation	27/09/2019

Reason for Committee

This application is being reported to the Planning Committee as the County Council are the applicant and it has a significant financial interest in the original planning permission granted.

Site

The application site comprises phase 3 of the approved housing development on land adjacent to the Dylan Housing Estate in Llwynhendy. The area in question is within the north eastern corner of the wider application site for which full planning permission was granted for 34 affordable dwellings in December 2018 under permission reference S/36465. The site was previously amenity grassland used as an informal recreation area and is presently part of the construction site for the ongoing residential development.

Proposal

This Section 73 application seeks to amend the approved plans on the original permission in order to substitute four of the previously approved houses (plots 27-30) to adaptable bungalows, two plots (25 and 26) to be an 'innovative technology house' and the loss of two proposed dwellings (plots 31 and 32) to accommodate the changes. The proposal results in the slight relocation of the plots to accommodate for the design changes.

Plots 27-30 were previously approved as house type B and comprised two storey semi-detached properties with facing brickwork at ground floor and smooth render at first floor of the elevations and concrete tile roof. The current submission proposes semi-detached bungalows with smooth render in white, Edenhall Hawkins antique blend and Edenhall Ikley burnt maize facing brickwork alongside concrete roof tile in breckland brown. The materials proposed for the bungalow will match the details approved for the appearance of the two storey dwellings, as approved under discharge of condition application reference. S/38485.

The innovative technology house proposed for plots 25 and 26 comprise two storey semi-detached properties, of similar layout to previously approved house type C. The materials now proposed as part of this application comprise smooth colour render in white on the main part of the building, with cladding in Rockpanel Woods in Rhinestone Oak on the side elements of each dwelling and Edenhall Hawkins antique blend facing brickwork for the bottom course. The roof tiles will remain as previously approved a smooth finish concrete in 52 breckland brown. The design of plots 25-26 has been amended during the course of the application as it was considered the initial elevations submitted as part of this section 73 application would appear conspicuous and were not considered to conform with or enhance the character and appearance of the site or area as required by Local Development Plan Policy GP1.

Plots 31 and 32 previously house type A have been omitted from the scheme to allow the substitution of plots 27-30 to bungalows and plots 25 and 26 to the innovative technology house. The re-design and positioning of this area of the site and plots 25-30 results in the creation of larger and more uniformed gardens for these plots. There is no change to the parking provision for plots 25-30.

No other changes are proposed to the site access, wider layout or design of plots 1-25 as part of this Section 73 application.

Planning Site History

Relevant site history

The following previous applications are of relevance to the proposal:-

S/38485 DISCHARGE OF CONDITIONS 6, 7,10,12,13 AND 15

OF PLANNING PERMISSION REFERENCE. S/36465
Discharge of conditions 1 July 2019

S/36465	34 NO. NEW AFFORDABLE HOUSING ON THE EXISTING OPEN GROUND ADJACENT TO THE EXISTING DYLAN HOUSING ESTATE TOGETHER WITH ASSOCIATED ECOLOGICAL MITIGATION WORKS. Full planning permission	13 December 2018
LL/02810	NEW CHANGING ROOMS, SERVICES AND EXTERNAL WORKS Full planning permission	9 January 2003
LL/00754	PORTAKABIN TO BE USED AS CHANGING ROOMS Full planning permission	15 April 2002
S/01343	USE AS FOOTBALL PITCH WITH ASSOCIATED PORTACABIN STYLE CHANGING ROOMS Lawful Development Certificate granted	4 September 1998
D5/16798	PROPOSED RESIDENTIAL DEVELOPMENT Outline planning refused	16 March 1995
D5/6170	PORTABLE TYPE CHANGING ROOM Full planning permission	11 March 1982
D5/4553	PROPOSED CHILDREN'S PLAYGROUND Full planning permission	10 January 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

SP5 Housing
SP6 Affordable Housing
SP9 Transportation
SP17 Infrastructure

GP1 [Sustainability and High Quality Design](#)
GP2 [Development Limits](#)
GP3 [Planning Obligations](#)
GP4 [Infrastructure and New Development](#)

H1 Housing Allocations
AH1 Affordable Housing
AH1 Affordable Housing Exception Sites

TR2 [Location of Development- Transport Considerations](#)
TR3 Highways in Developments- Design Considerations

EP1 [Water Quality and Resources](#)
EP2 [Pollution](#)
EP3 [Sustainable Drainage](#)

[REC2 Open Space Provision and New Developments](#)
[REC3 Proposed New Open Space](#)

[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.

Public Rights of Way Officer - No further observations on Section 73 application that provided on original application.

Head of Public Protection - No observations received to date.

Llanelli Rural Council - No objections.

Local Member(s) - Councillor Deryk Cundy has commented confirming the change to bungalows receives his full support.

Natural Resources Wales – no objection to the application.

Dwr Cymru/Welsh Water – highlight the water mains serving the area are known to have minimal pressures at times of peak demand. In terms of the current application to vary condition 2, they request drainage related conditions are maintained on any new consent granted for the site.

Coal Authority – no objection to the application.

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

Summary of Public Representations

The application was the subject of notification by way of two site notices and publication in the local newspaper.

No representations have been received.

Appraisal

The Section 73 application seeks to change the approved plans listed under condition 2 of the original planning permission S/36465. The changes result in the reduction of two plots (30 and 31) to accommodate the change of plots 25-28 from two storey properties to bungalows and plots 29 and 30 to an innovative technology house. The changes are understood to be required to provide a more varied range of properties as part of the development. Whilst this application reduces the total number of dwellings proposed from 34 to 32 it provides greater variety of property types for local residents.

The character and appearance of the area is not considered to be adversely affected by the proposed changes to the house type and design of the plots. The introduction of the bungalows along the northern boundary of the site fronting the Dylan will still complement the existing street scene and allow the opportunity for greater views into the new residential scheme. The new design for plots 25 and 25 includes slight change to the floorplan of the dwellings and the introduction of cladding on part of the elevation. Otherwise the materials are largely as previously approved for the wider residential scheme.

The general scale, design and spatial layout of phase 3, subject to this application, are considered to be acceptable within the context of the wider site and its surroundings.

Planning Obligations

None relevant to this Section 73 application.

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 amendments to the design, layout and materials proposed for plots 25-30 and

the omission of plots 30 and 31 are considered acceptable. The scale, design and layout of phase 3 of the wider site is still considered to be acceptable within the context of the wider site and the wider surrounding area. Whilst the proposal results in the loss of two dwellings from the scheme it does provide a greater variety of property types. No concerns or objections have been raised by any third party or statutory consultees.

RECOMMENDATION – APPROVAL

Conditions

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
 - Existing site and location plan (01D) received on 30 October 2018;
 - Drainage strategy for foul and surface water - Technical Note prepared by Atkins dated January 2017 received on 13 November 2018;
 - Storm water storage estimate - technical note prepared by Atkins dated 25 October 2018 received on 13 November 2018;
 - Proposed drainage layout (5119256-ATK-HDG-GEN-DR-C-002 Rev P01) received on 13 November 2018;
 - Existing and proposed surface water drainage runs plan (01) received on 23 October 2018;
 - Ground Investigation Report (G944/GIR) dated November 2016 prepared by Quantum Geotechnical and received on 23 October 2018;
 - Preliminary Risk Assessment/Desk Study (G944/PRA) dated November 2016 prepared by Quantum Geotechnical and received on 23 October 2018;
 - Proposed site sections A-A, B-B & C-C (08A) received on 23 October 2018;
 - Borehole Mining Investigation Findings dated 25 September 2017 prepared by Quantum Geotechnical and received on 20 October 2017;
 - Ecological Assessment dated September 2016 prepared by Habitat Matters Ltd and received on 20 October 2017;
 - Existing site sections A-A, B-B & C-C (07) received on 7 November 2018;
 - Design and access statement dated 6 February 2016 referenced 8845-187 received on 20 October 2017.
 - Proposed General Arrangement Elevations - Proposed House Type A drawing no. LAW-A-0-DEL- AR-062101-P02 received 14 February 2019.
 - Proposed General Arrangement Elevations - Proposed House Type B drawing no. LAW-B-0-DEL- AR-062101-P00 received 14 February 2019;
 - Proposed General Arrangement Elevations - Proposed House Type C drawing no. GH-LAW-C-0-DEL- AR-062101-P02 received 14 February 2019;
 - Hawkins Antique Blend Brickwork sample photo received 14 February 2019;
 - Ikley Burnt Maize Brickwork sample photo received 14 February 2019;
 - Smooth 52 Breckland Brown Roof tile sample photo received 14 February 2019;
 - Render Webber Pearl Grey sample photo received 14 February 2019;
 - Construction Phase Health and Safety Plan prepared by WRW Construction (February 2019 Rev 01) received 14 February 2019.

- Site Report and Management Plan for Control and Eradication of Japanese Knotweed prepared by Elcot Environmental received 14 February 2019.
- Layout Plan Engineering drawing no. C-002 Rev C received 18 June 2019.
- Proposed House Type D Plots 25 and 26 Proposed Floor Plans drawing no. GH-LAW-D-0-DFP- AR-061001-P03 received 22 October 2019;
- Proposed House Type D Plots 25 and 26 Proposed Roof Plan drawing no. GH-LAW-D-0-DFP- AR-061102-P03 received 22 October 2019;
- Proposed General Arrangement Elevations - Proposed House Type D Plots 25 and 26 Proposed Floor Plans drawing no. GH-LAW-D-0-DEL- AR-062101-P04 received 22 October 2019;
- Proposed Bungalows Plots 27, 28, 29 and 30 Floor Plan and Roof Plan drawing no. GH-LAW-BG-0-DFP- AR-061001-P02 received 2 October 2019;
- Proposed General Arrangement Elevations - Bungalows Plots 27, 28, 29 and 30 drawing no. GH-LAW-BG-0-DEL- AR-062001-P02 received 2 October 2019;
- Phase 3 Site Boundary Plan drawing no. GH-LAW-X-X-DSP-AR-910105-P00 received 16 September 2019.

- 3 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the details shown prior to the occupation of the dwellings. Thereafter, they shall be retained, unobstructed, for the purposes of parking only.
- 4 Prior to the occupation of the dwellings hereby approved the required access roads and footpaths leading from the existing public highway to the respective units shall be laid out and constructed in accordance with the details shown on the drawings hereby approved.
- 5 There shall at no time be any means of vehicular access to the development from the access or car park of the neighbouring community hall to the west of the application site.
- 6 Prior to any use of the estate road by vehicular traffic, a visibility splay of 2.4 metres x 33 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway of the Dylan estate road.
- 7 The relocation of the existing bus stop and shelter fronting the site and the programme for the implementation of the same shall be carried out in accordance with the Layout Plan Engineering drawing no. C-002 Rev C received 18 June 2019 and approved under application reference. S.38485. The scheme shall be implemented in accordance with the approved details.
- 8 The dwellings hereby approved shall not be occupied until the foul drainage scheme shown on the proposed drainage layout (5119256-ATK-HDG-GEN-DR-C-002 Rev P01) received on 13 November 2018 has been implemented in accordance with the details shown.
- 9 The dwellings hereby approved shall not be occupied until the surface water removal scheme shown on the existing and proposed surface water drainage runs plan (01) received on 23 October 2018 has been implemented in accordance with the details shown.

- 10 The development must be carried out strictly in accordance with the Layout Plan Drainage drawing no. C-004 Rev A received 14 February 2019 and approved under discharge of condition application reference. S/38485. The scheme shall be implemented in accordance with the approved details prior to the occupation of the dwellings and maintained thereafter in perpetuity.
- 11 The existing trees on the southern boundary of the site shall be retained as part of the development.
- 12 The materials to be used in the construction of the external surfaces of the dwellings shall be as per the following details, submitted and approved under application reference. S/38485 and this application:
 - Proposed General Arrangement Elevations - Proposed House Type A drawing no. LAW-A-0-DEL- AR-062101-P02 received 14 February 2019.
 - Proposed General Arrangement Elevations - Proposed House Type B drawing no. LAW-B-0-DEL- AR-062101-P00 received 14 February 2019;
 - Proposed General Arrangement Elevations - Proposed House Type C drawing no. GH-LAW-C-0-DEL- AR-062101-P02 received 14 February 2019;
 - Hawkins Antique Blend Brickwork sample photo received 14 February 2019;
 - Ikley Burnt Maize Brickwork sample photo received 14 February 2019;
 - Smooth 52 Breckland Brown Roof tile sample photo received 14 February 2019;
 - Render Webber Pearl Grey sample photo received 14 February 2019;
 - Proposed General Arrangement Elevations - Bungalows Plots 27, 28, 29 and 30 drawing no. GH-LAW-BG-0-DEL- AR-062001-P02 received 2 October 2019;
 - Proposed General Arrangement Elevations - Proposed House Type D Plots 25 and 26 Proposed Floor Plans drawing no. GH-LAW-D-0-DEL- AR-062101-P04 received 22 October 2019.
- 13 The development shall be carried out in strict accordance with the Construction Phase Health and Safety Plan prepared by WRW Construction (February 2019 Rev 01) received 14 February 2019 and discharged under application reference. S/38485. The approved statement shall be adhered to throughout the construction period.
- 14 During the construction phase of the development, no noise generating works, demolition or construction shall take place other than within the hours of 07:30 - 18:00 Monday - Friday, Saturday 08:00 - 14:00 and not at all on Sundays, Bank or Public Holidays. The construction work be undertaken in compliance with BS: 5228 Noise Vibration and Control on Construction and Open Sites.
- 15 The development shall be carried out in strict accordance with the Site Report and Management Plan for Control and Eradication of Japanese Knotweed prepared by Elcot Environmental received 14 February 2019 and discharged under application reference. S/38485. Development shall proceed in accordance with the approved method statement.
- 16 The wildlife mitigation scheme shown on the existing site and location plan (01D) received on 30 October 2018 shall be provided in accordance with the details shown prior to the occupation of the dwellings and thereafter maintained in accordance with the recommendations contained therein.

- 17 Prior to commencement of development a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces;
 - ii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
 - iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing.
- 18 Prior to the occupation of the 20th dwelling hereby permitted, the relocated play area granted under planning permission reference. S/38160 shall be constructed and completed in accordance with the approved plans and maintained thereafter.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3-7 In the interests of highway safety.
- 8-9 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.
- 10 To ensure the development is drained in a sustainable and acceptable manner.
- 11 To retain existing landscape features.
- 12 In the interests of visual amenity.
- 13 To prevent the pollution of the environment and in the interests of safeguarding residential amenity.
- 14 In the interests of safeguarding residential amenity.
- 15 To prevent the spread of Japanese Knotweed.
- 16 To provide ecological enhancements as part of the development.

- 17 To secure appropriate affordable housing in perpetuity.
- 18 To secure the relocation of the park.

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 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).

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ADDITIONAL ITEMS

Application No	S/21597
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF 100 DWELLINGS AND ASSOCIATED WORKS AT LAND OFF GARREGLWYD, PEMBREY, CARMARTHENSHIRE

Applicant(s)	PERSIMMON HOMES, C/O AGENT
Agent	ASBRI PLANNING LTD - PETE SULLEY, UNIT 9, OAK TREE COURT, CARDIFF GATE BUSINESS PARK, CARDIFF, CF23 8RS
Case Officer	Robert Davies
Ward	Pembrey
Date of validation	21/10/2013

On the 1st October, 2019, Members of the Planning Committee resolved to refuse planning permission contrary to Officer recommendation. As agreed, the following Draft reasons for refusal based upon the decision made are being presented to Members for consideration and ratification.

For Members information, in a letter dated the 2nd October, 2019, Welsh Government advised that it does not consider that the proposed development raises issues of more than local importance and therefore decided not to call in the application for determination by the Welsh Ministers. The Article 18 Direction is therefore cancelled.

RECOMMENDATION – REFUSAL

Reasons

- 1 The proposal is contrary to Policy SP14 “Protection and Enhancement of the Natural Environment” of the Adopted Carmarthenshire Local Development Plan, 2014:-

SP14 Protection and Enhancement of the Natural Environment

Development should reflect the need to protect, and wherever possible enhance the County’s natural environment.

All development proposals should be considered in accordance with national guidance/legislation and the policies and proposals of this Plan, with due consideration given to areas of nature conservation value, the countryside, landscapes and coastal areas, including those outlined below:

- a. **Statutory designated sites including Ramsar sites, SPAs, SACs, SSSIs and National Nature Reserves;**
- b. **Biodiversity and Nature Conservation Value, including protected species and habitats of acknowledged importance as well as key connectivity corridors and pathways; (Policy EQ4 and EQ5)**
- c. **Regional and Locally important sites (and their features) including Local Nature Reserves and RIGS; (see Policy EQ3)**
- d. **Areas of identified Landscape and Seascape quality; (including SLAs)**
- e. **Features which contribute to local distinctiveness, nature conservation value or the landscape; (see Policy EQ5)**
- f. **The Open Countryside; (see Policy GP2)**
- g. **The best and most versatile agricultural land; (Grade 2 and 3a)**
- h. **Natural assets: including air, soil (including high carbon soils) controlled waters and water resources. (See Policies EP1 and EP2)**

In that insufficient information in the form of an up to date Dormouse survey has been submitted with the application to confirm the presence or not of this European Protected Species.

- 2 The proposal is contrary to Policy SP18 “The Welsh Language” of the Adopted Carmarthenshire Local Development Plan, 2014:-

SP18 The Welsh Language

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

In that information provided by the applicant indicates that the proposed development will generate a lower percentage of Welsh speakers than what is existing in Pembrey and therefore the proposed development will not safeguard and promote the Welsh language.

- 3 The proposal is contrary to Policy TR1 “Primary and Core Road Networks” of the Adopted Carmarthenshire Local Development Plan, 2014:-

Policy TR1 Primary and Core Road Networks

Proposals which do not restrict traffic movement and/or compromise the safety of the primary road network and core network will, where appropriate be supported.

The primary road network and core network is defined in Appendix 7.

In that the traffic generated by the proposed development will use an already busy junction and narrow access road at Garreglwyd and thus will compromise highway safety. It is considered that the proposed highway improvements in the form of a priority junction arrangement will not address this highway safety issue.

- 4 The proposal is contrary to Policy TR3 “Highways in Developments – Design Considerations” of the Adopted Carmarthenshire Local Development Plan, 2014:-

Policy TR3 Highways in Developments - Design Considerations

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

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

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

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

In that the traffic generated by the proposed development will use an already busy junction and narrow access road at Garreglwyd and thus will be detrimental to highway safety. It is considered that the proposed highway improvements in the form of a priority junction arrangement will not address this highway safety issue.

- 5 The proposal is contrary to Policy EQ4 “Biodiversity” of the Adopted Carmarthenshire Local Development Plan, 2014:-

Policy EQ4 Biodiversity

Proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species

protected under European or UK legislation) will not be permitted, except where it can be demonstrated that:

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

In that insufficient information in the form of an up to date Dormouse survey has been submitted with the application to confirm the presence or not of this European Protected Species.

- 6 The proposal is contrary to Policy EQ5 “Corridors, Networks and Features of Distinctiveness” of the Adopted Carmarthenshire Local Development Plan, 2014:-

Policy EQ5 Corridors, Networks and Features of Distinctiveness

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

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

In that the proposed development will result in the overdevelopment of a greenfield site and the loss of some trees and hedgerows. The development will therefore be out of character with the area and will adversely affect features which contribute to local distinctiveness.

- 7 The proposal is contrary to paragraph 2.3 of Planning Policy Wales Technical Advice Note 18 “Transport” (2004):-

2.3 Integration of land use planning and development of transport infrastructure has a key role to play in addressing the environmental aspects of sustainable development, in particular climate change and the outcomes identified in the Assembly Government’s Environment Strategy. Integration can help the Assembly Government achieve these environmental outcomes, together with its wider sustainable development policy objectives by:

- promoting resource and travel efficient settlement patterns;
- ensuring new development is located where there is, or will be, good access by public transport, walking and cycling thereby minimising the need for travel and fostering social inclusion;
- managing parking provision; ensuring that new development and major alterations to existing developments include appropriate provision for pedestrians (including those with special access and mobility

requirements), cycling, public transport, and traffic management and parking/servicing;

- encouraging the location of development near other related uses to encourage multi-purpose trips;
- promoting cycling and walking;
- supporting the provision of high quality, inclusive public transport;
- supporting provision of a reliable and efficient freight network;
- promoting the location of warehousing and manufacturing developments to facilitate the use of rail and sea transport for freight;
- encouraging good quality design of streets that provide a safe public realm and a distinct sense of place; and
- ensuring that transport infrastructure or service improvements necessary to serve new development allow existing transport networks to continue to perform their identified functions.

In that the proposed highway infrastructure improvements in the form of a priority junction arrangement at Garreglwyd will not satisfactorily address the highway safety concerns associated with the traffic generated by the proposed development and adequacy of the access road to cater for this traffic.

- 8 The proposal is contrary to paragraph 9.18 of Planning Policy Wales Technical Advice Note 18 “Transport” (2004):-

9.18 The extra trips generated by a proposed development may bring forward the need for transport improvements in the vicinity of the scheme, and beyond. To the extent that highway improvement works are necessary to enable a proposed development to go ahead, conditions may be imposed on the permission, making its commencement/occupation subject to completion of those highway works.

Alternatively, a developer may be invited to conclude an agreement under section 278 of the Highways Act 1980 for the provision of highway works. In some circumstances the use of planning obligations may be appropriate to ensure improved transport provision. Annex F gives more details of appropriate conditions for works in the highway.

In that the proposed highway infrastructure improvements in the form of a priority junction arrangement at Garreglwyd will not satisfactorily address the highway safety concerns associated with the traffic generated by the proposed development and adequacy of the access road to cater for this traffic.