

**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 26 MAWRTH 2020
ON 26 MARCH 2020**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal
Dwyrain/
Area East*



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 yn 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:	26.03.2020
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/40029
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF FOUR RESIDENTIAL DWELLINGS, AND ALL ASSOCIATED WORKS AT LAND AT, Ffordd Y Glowyr, Betws, Ammanford, SA18 2JZ

Applicant(s)	LORAX HOMES LIMITED - G CROXALL, 4 COEDYBRONALLT, HENDY, CARMARTHENSHIRE, SA4 0ZW
Agent	
Case Officer	Gary Glenister
Ward	Betws
Date of validation	02/01/2020

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 site is an irregular shaped parcel of previously developed land forming part of the former Betws Colliery which is being redeveloped for a mix of residential and commercial uses. The site extends to the South East and North of a small private estate known as Parc Nant Y Felin with a frontage onto Ffordd Y Glowyr.

The site has planning history for residential approval as part of a slightly larger parcel of land which indicatively earmarked 6 houses on the part of the site now proposed.

The site is allocated for residential development within the settlement development limits of Betws in the Local Development Plan.

The site is previously developed however has regenerated to a certain degree with some scrub and brownfield habitat.

Proposal

The application seeks full detailed planning permission for four dwellings split into two elements. The first element is a terrace of three houses fronting onto Ffordd y Glowyr with a fourth forming an additional dwelling to the private estate known as Parc Nant Y Felin.

The terrace of three houses is proposed to be accessed via Ffordd y Glowyr with five parking spaces proposed to the front of the terrace with access directly from the highway. A further detached house is proposed to be accessed via Parc Nant Y Felin with a detached garage and turning area to serve the property.

There has been a detailed analysis of parking levels and visibility, with the conclusion that the proposal is acceptable without detriment to highway safety.

Planning Site History

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

- E/26501 OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT
– Outline ~Granted 04/09/2012

- E/24742 SUBMISSION OF RESERVED MATTERS FOR ACCESS, APPEARANCE,
LANDSCAPING, LAYOUT AND SCALE IN RELATION TO 66 NO.
RESIDENTIAL UNITS WITH ASSOCIATED WORKS
Reserved Matters Granted 11/08/2011

- E/11998 VARIATION OF CONDITION 4 ON PLANNING PERMISSION E/09324
DATED 15.09.2005 RE PLANTING TIMESCALES
Variation of Planning Condition Granted - Delegated 27/02/2006

- E/21721 VARIATION OF CONDITION NO 1 OF E/09584 TO EXTEND PERIOD OF
TIME FOR SUBMISSION OF RESERVED MATTERS FOR A FURTHER 24
MONTHS
Variation of Planning Condition Granted 04/11/09

- E/14701 RESIDENTIAL DEVELOPMENT
Reserved Matters to E/09584 - Approved 24 October 2007

- E/09584 REDEVELOPMENT OF FORMER BETWS COLLIERY FOR MIXED USE
PURPOSES COMPRISING EMPLOYMENT AND RESIDENTIAL
Outline - Section 106 Signed 15 May 2006

- E/09324 DISCHARGE OF RESTORATION CONDITIONS NOS 2 & 3 ON
APPLICATION E/06373
Full Granted 15/09/05

E/06373 VARIATION OF CONDITIONS 2,3 & 4 ON APPLICATION C6/301 AND CONDITIONS 1,2,3,& 4 ON C6/302 TO ALLOW 12 ADDITIONAL MONTHS FOR THE SUBMISSION OF RESIDENTIAL PROGRAMME AND MASTERPLAN
Variation of Condition Granted 13/05/04

Planning Policy

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

SP1	Sustainable Places and Spaces	
GP1	Sustainability and High Quality Design	
Error! Reference source not found.		Development Limits
H1	Housing Allocations	
Error! Reference source not found.		Housing within Development Limits
Error! Reference source not found.		Affordable Housing
Error! Reference source not found.		Highways in Developments - Design Considerations
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 – Has no objection subject to the imposition of appropriate conditions.

Betws Community Council – Has no objection subject to highway safety and drainage / sewerage concerns being met.

Local Member(s) - Councillor B Jones has not commented to date.

Dwr Cymru/Welsh Water – has no objection.

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

Summary of Public Representations

The application was the subject of notification by way of 2No. Site Notices.

8No. representations were received objecting and the matters raised are summarised as follows:

- Spatial Character
 - Proximity to neighbouring properties

- Scale and Mass
- Highway /Pedestrian Safety
 - Parking
 - Obstruction
 - Conflict with Junctions
 - Traffic Generation
 - Traffic Calming Needed
 - Removal of footpath
- Biodiversity
 - Damage to Ancient Woodland
 - Damage to neighbouring ornamental tree roots
- Loss of amenity
 - Over Shadowing / Loss of Light
 - Loss of privacy
 - Over bearance
 - Danger for children playing in culs de sac
 - Disruption during the build
 - Noise and Pollution

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

Appraisal

Spatial Character

The proposed dwellings fronting onto Ffordd y Glowyr are set back from the highway to allow parking but are in close proximity to the rear fences of neighbouring properties. The proposed houses are in line with the longest part of the garden of No.36 Heol Pac y Felin which allows 12.5m between the main rear elevation and the side of the proposed house. It should be noted that this form of development was accepted on the indicative plan for application E/26501 back in 2012.

The scale and mass and density is proposed to be similar to the site to the South East so is not considered to be out of keeping, however it is noted that it would be higher density with smaller units than the houses to the North West.

Highway /Pedestrian Safety

The Head of Transport has assessed the proposal including parking levels. After careful consideration and application of the sustainability appraisal found in the CSS standards, it was concluded that five spaces to serve the terrace would be acceptable in this location. The visibility for cars accessing directly from the highway has been assessed and given the wide pavement, the visibility is considered to be adequate for a 30mph road. Therefore subject to the imposition of conditions, there is no highway safety objection.

The footpath which would be removed is an informal route from across the former colliery site which has no formal status and is not a public right of way.

Loss of amenity

Over shadowing of one property is likely at times during the morning, however given the orientation, afternoon and evening times are not likely to be affected by the proposal. The

existing houses are likely to cast their own shadow during the evening. Loss of light is a private civil consideration.

Loss of privacy is unlikely as the window in the gable serves a bathroom and would be obscurely glazed.

It is noted that the proposal is at a slightly higher ground level, however over bearing is not likely to be significant.

There is likely to be some disruption during construction and danger from construction traffic, however this is a temporary situation and the addition of one dwelling is not likely to have a major significant impact on noise, pollution or traffic in the culs de sac.

Biodiversity

The site is a regenerating previously developed site with some scrub and semi improved grassland, the applicant has been asked for a Preliminary Ecological Assessment to establish whether there is any impact on habitat of ecological interest.

The original scheme which included this parcel of land also included land to the North which is classed as semi natural ancient woodland. However this has been excluded from this scheme so the concerns are not founded in terms of direct impacts. In terms of indirect impact, the site is allocated for housing, so the principle of development has been accepted in the Local Development Plan.

Planning Obligations

The standard affordable housing contribution based on the internal floor area is applicable in this case.

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 whilst there is local concern over the proposal, the site is within an allocated housing site as defined in the Local Development Plan and the houses are at a similar density to the estate to the South East. The proposal is on the periphery of the remaining allocated land and would not prejudice the remaining land from being developed. The site has had permission for a higher density scheme previously so the principle has been established. Highway safety has been assessed and the Head of Transport has no objection subject to the imposition of appropriate conditions.

It is therefore recommended to approve the proposal subject to the submission of a legal agreement in respect of the affordable housing. If no legal agreement is signed within 6 months of any Committee resolution to approve, the Head of Planning requests delegated power to refuse the application on the grounds of lack of affordable housing.

RECOMMENDATION – APPROVAL

Conditions

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 21 December 2019.
 - 1:1250 scale Location Plan. Drawing No. GC/001
 - 1:100 scale Double Garage – Proposed Floor Plan and Elevations. Drawing No. 001
 - 1:100 & 1:200 scale Plots 1-3 Proposed Floor Plans and Elevations. Drawing No. 001
 - 1:100 & 1:200 scale Plot 4 – Proposed Floor Plans and Elevations. Drawing No. 002and the following plan dated 4 March 2020
 - 1:250 scale Site Layout Plan. Drawing No. 001RevA
- 3 The new vehicular accesses 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 The vehicular access into the site serving plots 1-3 shall at all times be left open, unimpeded by gates or any other barrier.
- 5 Any access gates to Plot 1 shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.
- 6 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole Ffordd y Glowyr or Nant y Felin Road frontage within 2.4 metres of the near edge of the carriageway.
- 7 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 8 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they

shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

- 9 The accesses 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.
- 10 Before any development is commenced a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development, shall be submitted to and agreed in writing by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details at a timescale to be approved in writing by the Local Planning Authority.
- 11 No development shall be commenced until details and/or samples of facing brick, cladding and boundary treatment have been submitted to and approved in writing by the Local Planning Authority.
- 12 No development shall be commenced until full details of sustainable surface water drainage have been submitted to and approved in writing by the Local Planning Authority.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2&11 In the interests of visual amenity in accordance with Policy GP1 of the LDP.
- 3-10 In the interests of highway safety in accordance with Policy TR3 of the LDP.
- 12 To ensure sustainable surface water drainage in accordance with Policy SP2 and EP3 of the LDP.

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 if development will constitute unauthorised development. This will necessitate the

submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

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

- 2 The applicant/developer's attention is drawn to the signed unilateral undertaking which secures a contribution of £67.08 per square metre internal floor area towards affordable housing.
- 3 The applicant/developer's attention is drawn to the unilateral undertaking which sets out the contribution for affordable housing.
- 4 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)

