

Application No	W/37120
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Application Type	Full Planning
Proposal & Location	DEVELOPMENT OF SITE WITH THE ERECTION OF BOTH A FREESTANDING RESTAURANT AND A FREESTANDING COFFEE SHOP, BOTH WITH ASSOCIATED DRIVE THROUGH FACILITY. INSTALLATION OF ACCESS ROAD, ASSOCIATED CAR PARK, PATIO AREAS, EXTRACTION EQUIPMENT AND WIDER ASSOCIATED WORKS TO THE SITE AT LAND AT ST CLEARS ROUNDABOUT, OLD TENBY ROAD, ST CLEARS, CARMARTHEN, SA33 4JW

Applicant(s)	DRAYCOTT INVESTMENTS & DEVELOPMENTS, C/O AGENT,
Agent	PLANWARE LTD - MR BENJAMIN FOX, THE GRANARY, 37 WALNUT TREE LANE, SUDBURY, CO10 1BD
Case Officer	Paul Roberts
Ward	St Clears
Date of validation	20/04/2018

Reason for Committee

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

Site

The application site consists of an irregular shaped parcel of land located adjacent and to the north of the roundabout of the A40 and A477 in St Clears. It measures approximately 0.9 hectares and forms part of two large field enclosures that are located to the north of Tenby Road (A4066) which leads into St Clears from the roundabout.

The main part of the site is located in the westernmost field enclosure immediately to the north of the roundabout with the remainder being included for the purposes of creating a new access road from Tenby Road. The area of land between the main part of the site and the access road falls outside the site with the exception of a narrow strip which is included to enable the creation of a direct pedestrian link to the development. The western and southern boundaries of the main part of the site are bounded by mature trees and hedgerows which separate the land from the A40 and the roundabout as well as an unoccupied derelict dwelling located adjacent to the latter. It has no defined northern or

eastern boundaries and the area to the north consists of further field enclosures. There is a small watercourse running along the southern boundary of the site which continues along the northern side of Tenby Road. The land slopes up gently towards its northern boundary.

The eastern part of the site wherein the new vehicular access is to be created is located adjacent to and opposite a number of residential properties that front onto Tenby Road. There is a Travelodge hotel and Starbucks coffee shop on the opposite southern side of Tenby Road adjacent to the residential properties and the neighbouring roundabout. Tenby Road extends eastwards from the site towards the centre of St Clears and is characterised by a frontage of residential properties as well as a number of industrial units located in St Clears Business Park which is a short distance from the site.

The centre of St Clears, wherein its main services and facilities are located, is some 500 metres to the east of the site. The site is partially fronted by a footway adjacent to the roundabout, however, this does not extend eastwards along Tenby Road towards the proposed new access.

The land to the west of the site beyond the A40 is primarily rural in character with a petrol station and a small cluster of residential properties located to the west of the roundabout off the A477. The neighbouring settlement of Pwll Trap is located some 400 metres to the north of the site.

Proposal

The application seeks full planning permission for the erection of a freestanding restaurant and coffee shop (mixed A1/A3 use class) together with associated drive through facilities, new access road, car parking, outdoor seating areas and associated external works.

Site Layout and Design

Access to the development is to be achieved via a new access road located in the eastern part of the site that will extend northwards from Tenby Road adjacent to the existing tree line before turning westwards in a 'n' shaped alignment to serve the main part of the site where the new restaurant and coffee shop are to be erected. The wider field enclosure wherein the access road is located is allocated for residential development purposes in the Authority's LDP and has previously had the benefit of outline planning permission for the same. The access road proposed to serve the restaurant and coffee shop includes an easterly spur at its northern end into the remainder of the field enclosure whereby it will also provide access to the future residential development of this land. The area of land between the new access road and the proposed restaurant and coffee shop is shown as a potential 'future development' area in the details submitted and is bisected by a footway that will provide a direct pedestrian access to the development from the access road to the east rather than pedestrians having to walk the entire route of the new access road. The access road itself will be flanked by footways on either side along its northerly arm from Tenby Road with this reducing to the one side on its westerly and southerly approach to the two new commercial units.

The restaurant and coffee shop are to be located in the main western part of the site. The coffee shop will occupy the northern area while the restaurant is to be constructed on the larger area of land to the south. The applicants have confirmed that Costa Coffee will occupy the coffee shop while McDonalds will occupy the restaurant. Both premises will

have separate accesses leading off the new access road with the layouts incorporating a drive through arrangement around both buildings. The finished floor levels of the development will reflect the prevailing ground levels of the site.

The coffee shop is to be of a single storey design and will be fronted by a car parking area which will provide 39 spaces. It is of modest proportions having an internal floor area of 167 square metres and its external elevations will consist of a mix of white render, horizontal timber cladding, aluminium panels and large glazed openings. The building is to have a low monopitch roof that will be clad with grey aluminium panels. The elevations are to include the occupier's branded signage. The coffee shop is to be open between the hours of 5:30 and 22:30 every day of the week and will provide seating for up to 70 customers.

The restaurant building is to have a larger floor area of 404 square metres and will accommodate up to 100 customers. It is to be of a single storey design with a flat roof. Its elevations will consist of a mix of natural stone facing, brickwork, composite aluminium cladding and timber cladding. Similar to the coffee shop it will also include McDonalds' branded signage. The building is to have a parking area that will include 47 spaces as well as cycle store facilities. Provision is made for air extraction systems in the kitchen facility to minimise odours from the development with these mainly being located discretely on the roof of the building. Provision is also made for an outdoor seating and play area to the north of the building. The building will be open to customers 24 hours a day and 7 days a week.

The proposal includes a landscape design scheme which provides for the retention and protection of existing hedgerows and trees bordering the site with the exception of a small number of trees and sections of hedgerow that need to be removed to create the new access road into the development. The alignment of the road has been designed to allow the retention of the existing tree line that separates both field enclosures while new mixed native hedge and trees are proposed along the northern boundary and eastern boundaries of the site to provide a defined natural boundary and screening to the development. New planting is also to be provided within the development which will include new shrubs and trees.

The application has been accompanied by the following supporting information certain of which are appraised below:-

- Design and Access Statement.
- Transport Statement.
- Planning and Sequential Statement
- Litter Management Plan
- Landscape Concept Scheme & Arboricultural Report
- Archaeological Report.
- Noise Impact Assessment
- Ecological Assessment
- Drainage Report

Drainage Report

The drainage report sets out a strategy for the disposal of surface from the development via either an infiltration solution within the development with the use of soakaways or alternatively by means of an attenuated discharge to the existing watercourse that runs

contiguous with the southern boundary of the site and Tenby Road. In the event that the ground conditions within the site preclude the use of soakaways, the applicant's drainage strategy shows the surface water from the western part of the site, including the buildings and car parks, being attenuated via a cellular storage tank under the restaurant car park before discharging to the watercourse to the south at an attenuated rate. Similarly, the surface water from the access road in the eastern part of the site will be attenuated in a separate box culvert system below the new road before discharging to the same watercourse at a separate discharge point to the east. The watercourse is to be culverted below the new access road. The surface water scheme will be designed to accommodate flows generated by a 1 in 100 year storm event and include a 30% allowance for climate change. It will also include pollution prevention measures to protect the water quality in the receiving watercourse and wider drainage catchment.

Turning to foul drainage, the drainage strategy shows the foul water from the development being disposed of to the existing public sewer located in Tenby Road. Pre-application discussions between the applicant and Welsh Water have revealed capacity problems in the Sewerage Treatment Works serving the wider area and the applicant has agreed to undertake a feasibility assessment of the constraints in conjunction with Welsh Water to establish what improvements are required to the treatment works so that they can be undertaken as part of the development.

Transport Statement

The transport assessment considers the highway impacts of the development upon the surrounding road network while also providing an assessment of the parking provision within the site.

The assessment utilises observed traffic data from comparable McDonald's restaurants and Costa coffee shops as well as customer surveys in order to determine the additional trip generation resulting from the development. The assessment also includes an allowance for the potential future residential development of the land to the east of the site which will be accessed via the same access road. The allowance relates to the development of up to 50 dwellings.

The assessment opines that the restaurant would generate 158 vehicle movements during AM peak hours and 160 during PM peak hours. These would increase to 239 vehicles on a Saturday. However, it demonstrates that the majority of these movements would consist of existing traffic on the road with only a small proportion being additional trips. For example, it demonstrates that during a Friday peak period 78% of the vehicular trips to the development would consist of existing traffic on the road network while the remaining 22% could be expected to be additional trips to the restaurant and coffee shop. Similarly, on a Saturday, 26% would be additional trips and 74% would consist of existing traffic on the road network calling at the development.

On this basis, the assessment opines that the additional trips on the road network would be 6 vehicles and 30 vehicles during the weekday AM and PM peak periods respectively, and 50 additional trips on a Saturday. The statement concludes that this additional volume of traffic, combined with that expected from the residential development of the neighbouring land, could be accommodated by the new access onto Tenby Road as well as the wider road network without causing any unacceptable capacity or safety impacts. The statement also demonstrates that the visibility achieved from the new access along

Tenby Road will be acceptable and in accordance with the standards set out in TAN 18 based upon surveyed traffic speeds.

With regard to vehicle parking, the statement confirms that the parking provided exceeds that required by the Authority's parking standards while the proximity of development to existing bus services and pedestrian facilities is also highlighted. In connection with the latter, and following discussions with colleagues in the highway service, the development will provide a new footway link extending eastward from the new access to an existing footway on the northern side of Tenby Road to improve pedestrian links to and from the centre of St Clears, as well as a new pedestrian crossing point to the immediate east of the access which will improve links to the roundabout and areas to the west of the site. Moreover, the proposal will also provide a widened footway along Tenby Road some 190 metres to the east of the new access to, again, improve pedestrian links between the development and the centre of St Clears.

In addition to the above, the applicant has agreed to provide a financial contribution towards the cost of introducing a pedestrian phase to the northern arm of the signalised junction in the centre of St Clears to further improve pedestrian facilities to and from the development. The cost of this improvement is the subject of current discussions between officers of the highway service and the applicant and will be secured via a Section 106 agreement.

Planning and Sequential Statement

The statement draws reference to the requirements of Planning Policy Wales in relation to the need to undertake a sequential approach to site selection starting with those located within established town centres before considering edge of centre and out of centre sites. In this regard, the applicant draws reference to the operational requirements of the development as drive through premises whereby the provision of the buildings, parking areas and circulation routes require a large site area. With this in mind they opine that there are no sequentially preferable sites available within the development limits of St Clears.

In addition, the applicant places significant emphasis on the primary purpose of the development in meeting the needs of passing traffic rather than becoming a destination in its own right. This is reflected in its location close to the strategic road network of the A40 and A477 and whilst being on the edge of the settlement, the proposal will be within walking distance of the centre of St Clears. The statement also opines that the nature of the development in targeting passing traffic will ensure it will not unacceptably impact upon businesses in St Clears.

The economic benefits of the development to the surrounding area are highlighted in the statement as are the policy objectives of TAN23 in ensuring that the planning system recognises the economic aspects of new development. The statement confirms that the McDonalds restaurant will employ approximately 65 full and part time staff while the Costa coffee shop will employ approximately 18 full time and part time staff.

Other Supporting Documents

The ecological assessment confirms that the site consists of agriculturally improved grassland that is of low biodiversity interest and the impact of the proposal upon local ecology will therefore be minimal. Notwithstanding this, the assessment recommends

appropriate mitigation measures to minimise the impact of the development upon boundary hedges and trees and the watercourse that runs along the southern boundary of the site.

The archaeological report assesses the potential for buried archaeological remains within the site to be low-medium and the significance of any such finds is deemed to be medium-high. It concludes that further archaeological works may be required as part of the development as groundworks could expose, damage or destroy remains of archaeological significance.

The noise assessment considers the impact of the development upon nearby noise sensitive residential properties both in terms of plant noise and vehicular movements. It concludes that the development will have no adverse effect upon nearby properties and is therefore acceptable in noise terms.

The litter management plan submitted relates to the McDonalds restaurant and sets out a series of measures designed to address any littering resulting from the development. The measures include the implementation of 'litter patrols' within a 100 metres of the boundary of the site to remove any discarded litter from the restaurant. There will be a minimum of one patrol per day, however, the frequency will be monitored and adjusted accordingly.

Planning Site History

W/31167	Variation of condition 3 on W/21675 (to extend the outline planning permission for a further 9 months) Variation of planning condition granted	18 December 2014
W/28769	Variation of condition no 3 of planning permission W/21675 - (extension of time period) Variation of planning condition granted	09 October 2013
W/21675	Residential development including affordable units Outline planning permission	15 November 2010
W/04738	Renewal of outline planning reference W/02043 Outline planning permission	13 November 2001
W/02043	Siting of a bungalow and garage Outline planning permission	27 October 1998

Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP3 Sustainable Distribution – Settlement Framework
- SP8 Retail
- SP9 Transportation
- SP14 Protection and Enhancement of the Built and Historic Environment
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High Quality Design
- GP2 Development Limits

GP3 Planning Obligations
GP4 Infrastructure and New Development
H1 Housing Allocations
RT1 Retail Hierarchy
TR2 Location of Development – Transport Considerations.
TR3 Highways in Developments – Design Considerations.
SP13 Protection and Enhancement of the Built and Historic Environment.
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance.
EQ4 Biodiversity
EP1 Water Quality and Resources.
EP2 Pollution
EP3 Sustainable Drainage.

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 objection subject to the imposition of suitable conditions and the completion of a section 106 Agreement securing a financial contribution towards the provision of a pedestrian phase to the traffic signals at St Clears square (A/4066/B4299/High Street).

Head of Public Protection – Has responded in relation to a number of considerations.

Noise – Having considered the findings of the noise impact assessment submitted with the application, they have raised no objection to the application subject to the imposition of suitable conditions relating to the level of noise from the plant associated with the development.

Air Quality – Has confirmed that the development will not have an adverse impact on air quality in the surrounding area.

Ground Contamination – No objection based on the former and current uses of the site.

Other Matters - Comments are made in relation to matters such as kitchen extraction systems which are covered by separate legislation.

Head of Waste and Environmental Services (Land Drainage) – No objection subject to conditions. Has confirmed that the drainage strategy provides a viable and acceptable scheme for the disposal of surface water from the development but requests that the infiltration potential of the site be investigated to inform the design of the detailed scheme.

St Clears Town Council – Has objected to the proposal on the following grounds:-

- The proposal in combination with the potential future phase for a pub/restaurant and residential development on adjoining land should have been screened in accordance with the Environmental Impact Assessment (EIA) Regulations (2017).
- The extent of the application site is not clear on the site and layout plans.

- The application fails to explain why the proposal, beyond the development limits is a justified exception to Policy GP2 of the LDP.
- The proposal lacks the characteristics of a services type development that would justify a location adjacent to the highway.
- The applicant has failed to satisfactorily demonstrate that there are no suitable or available sequentially better locations than the application site.
- The applicant has provided no meaningful evidence as to the impact of the proposal on the centre of St Clears and the likely change in trade patterns.
- The drainage strategy is reliant on works being undertaken on land outside the red line application site and is not therefore deliverable.
- Matters relating to capacity of the waste water treatment works which are currently overloaded will need to be addressed as part of the development.
- No detail of how excavated material from the proposed drainage works and installation of cellular tanks is provided with the application.
- No detail of how the existing stream to the front of the site will be culverted or bridged is provided with the application. This is essential to understand the local flooding effects of the proposal.
- The application is not accompanied by a flood consequence assessment.
- Details of the existing levels of the site are required to understand the drainage of the site.
- Insufficient buffers to existing trees and streams bordering the site.
- Lack of landscaping details with application and loss of existing trees and the need for a bat survey of these trees.
- The noise assessment does not provide an assessment of the potential future commercial development of adjoining land or the impact upon potential future housing development on land to the east of the site.
- Excessive parking spaces proposed which exceed to the Authority's maximum parking standards.
- Lack of pedestrian and cycling facilities within the development.
- Lack of parking and turning facilities for HGV vehicles in the development.
- The lack of electric charging points.
- Inaccuracies in the application.

Local Member - County Councillor P Hughes has reservations regarding the development and in particular the impact of the extra traffic generated on the highway network in and around St Clears. On this basis, he has requested the Planning Committee undertake a site visit to fully assess the impact of the development.

Dyfed Archaeological Trust – Confirm that they are satisfied that the potential impact on the historic environment is not sufficient to preclude the development of the site and that further mitigation could be undertaken post-determination. They therefore recommended the imposition of a condition requiring the submission and approval of a written scheme of investigation of the site prior to the commencement of the development.

Cadw – No objection.

Natural Resources Wales – No objection.

Dyfed Powys Police Liaison Officer – Highlights that their only concern would be the management of traffic turning across the oncoming lane to access the site. Otherwise, they have no objection to the application.

Welsh Government (Transport) – Have confirmed that the proposal would not significantly impact on the nearby trunk road roundabout junction. They therefore have no objection to the proposal.

Dwr Cymru/Welsh Water – Initially objected to the application on the basis of concerns regarding a lack of capacity at St Clears Waste Water Treatment Works to accommodate the foul discharges from the development. Subsequent discussions with the developer have resulted in them withdrawing their objection subject to the imposition of a condition securing the submission and approval of a scheme for the upgrading of the St Clear's Waste Water Treatment Works to allow it to accommodate the foul discharges from the development without increasing the risk of breaches to the discharge consent for the treatment works.

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

Summary of Public Representations

The application has been publicised with the posting of a number of site notices within the vicinity of the site. Subsequent amendments to the development as part of the application process and the submission of additional supporting information by the applicant also required further re-consultation exercises whereby further site notices were posted.

As a result of these publicity exercises a large volume of objection letters (approximately 270) have been received in respect of the proposal which raise the following issues of concern:-

- Impact upon local food outlets and businesses.
- There are already enough food and coffee outlets in St Clears and the surrounding area.
- Fast food and drive through outlets do not help people's health.

- The proximity to local schools and the impact upon children's health and obesity problems.
- The type of food provided does not promote a healthy diet.
- Increased traffic congestion on the nearby roundabout and surrounding road network and impact upon highway and pedestrian safety.
- Impact upon wildlife with the loss of trees and habitats for foxes, badgers, frogs, newts and bats.
- Lack of pedestrian facilities.
- Proximity to schools.
- Adverse impact upon the character of the area.
- Jobs created will be offset by jobs lost in existing businesses.
- Extra litter, noise and vermin.
- The 24 hour nature of the development will potentially lead to increased crime, late night noise and anti-social behaviour.
- The public sewerage system has no capacity.
- Lack of public consultation.
- The site is located outside the Local Development Plan.
- The development will consist of a large out of town development that is not appropriate to this rural residential area and will harm the rural character of the town.
- Consideration should be given to developing existing retail sites rather the green spaces proposed.
- The need to consider the health and well-being of the local population as part of the planning process.
- Poor quality employment provided by the proposal.
- Reduce footfall into the town.
- De-valuation of property prices.
- Impact upon the amenity of neighbouring houses in terms of noise, smells, litter and loss of privacy.
- Access to the proposal from a residential street.
- Local GP's are against the proposal on health grounds.

- Increased air pollution from additional traffic.
- Due to the site's location, visitors will only visit the site and head off to their intended destination bringing no benefit to the town.
- Lack of parking and impact upon highway safety.
- The jobs provided are likely to be poor quality and part time and based upon zero hours contracts.
- Loss of village community feel.
- The introduction of a big chain restaurant/company will affect local independent traders.
- Negative impact upon the landscape.
- Overshadowing of existing properties.
- The job numbers are misleading in that they do not relate to full time jobs.
- Large companies do not use local suppliers for produce.
- Flooding and drainage problems to neighbouring properties.
- There is already a "Starbucks" coffee shop close to the site.
- Unsustainable development.
- Already have similar existing facilities in Carmarthen, Haverfordwest and Pembroke Dock in addition to existing facilities in St Clears.
- Urbanise the area.
- Lack of public transport facilities in the area.
- Lack of/poor pedestrian facilities to St Clears with narrow footways.
- The land is outside the development limits of the LDP.
- Reference in the application to an additional public house development which will also affect existing businesses.
- The proposal would not help the Well-being of Future Generations (Wales) Act 2015.
- Contrary to the objectives of the LDP to promote health and recreation and a good quality environment.
- Large signage will impact upon the local landscape.

- No regard to sustainability principles and to minimise the need to travel.
- Impact upon the development potential development of the neighbouring housing allocation in terms of impact upon amenity, drainage further increase in traffic.
- Unskilled jobs.
- Planning previously refused for a children's nursery in a nearby property on the basis of traffic problems.
- Small part of site zoned for residential development.
- Implications of the proposal on the housing allocation in terms of access, sewer capacity, traffic etc.
- Impacts on ecology and their habitats.
- Drainage problems.
- Loss of view.
- Lack of pedestrian facilities serving the development.

In addition, a number of letters of support have been received in respect of the proposal which raise the following issues of support (28):-

- The proposal will create much needed visitors and footfall to St Clears and the surrounding area to the benefit of local businesses.
- More job opportunities for local people.
- More choice of food outlets will benefit the area.
- St Clears is a dying town and new businesses are welcomed given there is a lack of jobs in the area.
- The land is currently unused and the proposal would put it to good use bringing people to the town.
- More jobs for younger people.
- Competition is healthy.
- Existing food businesses are only open at set times.
- Boost tourism in the area.
- Help regenerate the area.
- More jobs including contractor work carrying out the development.

- Bring people to the area.

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

APPRAISAL

The main issues in the determination of the application are appraised below.

Principle of the Development & Impact upon the Character and Appearance of the Area

A common concern amongst respondents is the site's location outside the development limits of St Clears and that the proposal would represent an unjustified extension into the countryside that would harm the character and appearance of the area. Respondents question the need for the development and suggest that it will adversely affect existing businesses in St Clears while others suggest that the applicant has failed to satisfactorily demonstrate that there are no suitable sequentially better locations than the application site.

The application site is largely located outside the development limits of St Clears as defined in the LDP albeit the northerly arm of the access road leading from Tenby Road is located within the limits and forms part of a larger area designed for residential development under housing allocation reference T2/5/h4. St Clears is designated as a Service Centre in the Plan under Policy SP3 in recognition of its location on sustainable transport routes (A40 & A477) and its level of services and facilities which include, amongst others, a primary school, shops, surgery and leisure centre. It has a defined town centre which, as highlighted above, is located some 500 metres to the east of the application site wherein the majority of these services and facilities are located.

Whilst being partly outside the settlement limit, the site is nonetheless located between a housing allocation of some 50 dwellings (T2/5/h4) and the A40 trunk road to the west. The site's position close to the strategic road networks of the A40 and A477 is a key locational requirement of the proposal as is the need for a large site of approximately 1 hectare to accommodate the operational requirements of the new drive-through restaurant and coffee shop. The development is primarily intended to meet the needs of passing traffic on these roadways similar to the Travelodge hotel and Starbucks coffee shop on the opposite side of Tenby Road, while also being easily accessible from St Clears. This is evidenced in the transport statement supporting the application which confirms that the majority of the development's road-borne trade will originate from existing traffic flowing through the A40 roundabout whereby drivers will divert off their original direction into the development and continue onwards following their visit. Some 84% of the peak hour trips visiting the development on a Friday and Saturday are shown to originate from the A40.

The need to be close to the strategic road network and the size and operational requirements of the development preclude it from being located within or adjacent to the existing town centre of St Clears. Moreover, large parts of the town centre and adjacent land fall within a zone C2 flood risk area that would prevent their development. Whilst the application doesn't provide an assessment of other potential sites, officers are nonetheless satisfied that there are no preferable sites within or adjacent to the town centre that could reasonably accommodate the development.

The creation of the new access into the development will not only serve the new development but will also provide the necessary highway infrastructure to access and develop the adjacent housing allocation. Although the proposal will inevitably alter the existing rural character of the site, its location between the housing development and the route of the A40 mean that its development represents a logical extension of the existing urban form of the settlement. The site is well contained by existing hedgerows and trees that are to be retained as part of the development with those on its western boundary, together with the route of the A40, providing a defined natural boundary to the development and wider settlement. Moreover, the proposal will not result in the coalescence of the settlement or fragmented development pattern.

The retention of the existing trees and hedgerows bordering the site combined with the single storey design of the buildings will mean that the development will be well screened from the wider area. The scale and layout of the development is largely influenced by the operational demands of the new facilities and will complement and be compatible with the scale of the neighbouring Travelodge and Starbucks development on the opposite side of Tenby Road. The buildings are of a modest size having a contemporary appearance with a mix of flat and low sloping roofs. They have been designed to incorporate materials and measures to maximise their sustainability which, combined with the provision of the new landscaping proposals both within the development and bordering its northern boundary, will ensure the development will respond well to the site's setting and not result in unacceptable harm to the character and appearance of the area.

Whilst the development will inevitably result in the erection of advertisement signage within the site, the acceptability of these will be considered as part of a separate application for advertisement consent.

Turning to the impact of the proposal upon existing businesses and food outlets in St Clears and the surrounding area. St Clears town centre contains a number of food and drink outlets including public houses, cafes and a range of hot food takeaways. Whilst competition is not a valid reason to refuse planning permission, the nature of the proposal whereby it will attract mainly vehicle-borne passing trade from the strategic road network and in particular those travelling along the A40, will mean that it will not attract a significant level of trade from existing businesses in the town centre. Those travelling along the A40 would, in the main, be unlikely to visit St Clears to visit a restaurant or takeaway facility unless it was part of their trip or their intended destination. It is acknowledged that the development will attract some trade from the wider St Clears area, nonetheless it will primarily be reliant on passing trade.

The location of the site on the outskirts of St Clears could potentially benefit local businesses in the town whereby customers would decide to visit the town centre after calling at the development. Its proximity to the development would mean that customers could either drive or walk to the town centre and the improvement of existing pedestrian facilities as part of the proposal will assist in encouraging the latter more sustainable option.

In addition to the above, the proposal will provide significant economic benefits to the local area with the creation of some 83 full and part time jobs.

Whilst the proposal is partly located outside the development limits of St Clears, it nonetheless represents an acceptable form of development that will be sustainable and well related to the existing settlement while causing no unacceptable harm to the character

and appearance of the surrounding area. Moreover, it will not have an unacceptable impact upon the vitality of the existing town centre. The proposal is therefore in accord with the objectives of policies SP1, GP1 and SP8 of the LDP. Furthermore, it will provide a significant level of new employment opportunities in accord with the policy objectives of TAN23.

Highway Impacts

Concerns regarding the highway safety implications of the development are raised in the objections with respondents' expressing views on the increased traffic generation and the lack of pedestrian facilities while others suggest that the scheme incorporates excessive parking which exceed the Authority's parking standards.

The application and accompanying Transport Assessment has been the subject of a thorough analysis by the Head of Transport who has offered no objection to the application subject to the imposition of appropriate conditions. He is satisfied that the development will result in no unacceptable impacts upon the wider road network and that the level of parking provision is sufficient to meet the requirements of the development. He recommends the imposition of conditions securing, amongst others, the improvement of existing pedestrian facilities along Tenby Road to improve sustainable links with the town centre as well as existing public transport facilities. He has also requested the payment of a financial contribution to introduce a pedestrian phase to the northern arm of the signalised junction in the centre of St Clears. The latter is to be secured via a Section 106 agreement.

Tracking details provided by the applicant demonstrate that large HGV vehicles can safely access and egress the development and the Head of Transport has recommended the imposition of a further condition securing the implementation of a suitable delivery management plan as part of the development.

The Welsh Government have also raised no objection in terms of the likely traffic impact upon the wider trunk road network.

The proposal is therefore considered to be in compliance with Policies SP1, SP9, GP1, TR2 and TR3 of the LDP in terms of its sustainability and highway impacts upon the surrounding area.

Drainage

Turning to concerns regarding surface water drainage within the development, colleagues in the Authority's Land Drainage team have confirmed that the proposed strategy of disposing surface water to the existing watercourse at an attenuated rate is acceptable. Notwithstanding this, they recommend that the applicant investigates the infiltration potential of the site to inform the design of the detailed scheme, the submission of which will be secured via a suitably worded condition. NRW have also raised no objection to the proposed drainage strategy.

With regard to foul drainage, Welsh Water have advised that there is currently a lack of capacity at St Clears Waste Water Treatment Works to accommodate the flows from the development. They have therefore recommended the imposition of a planning condition securing the submission, approval and implementation of a scheme for the upgrading of the St Clear's Waste Water Treatment Works to allow it to accommodate the foul

discharges from the development without increasing the risk of breaches to the discharge consent for the treatment works. The permission will be conditioned in accordance with their advice.

The proposal is therefore in accord with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner.

Suggestions by the respondents that the application must be accompanied by a flood consequence assessment are misjudged in that the site is not located in an area at risk from flooding.

Ecology

In terms of the respondents' wildlife and habitat concerns, the ecological assessment confirms that the site is of low biodiversity interest and the Authority's Planning Ecologist and NRW concur with its conclusions. They've both raised no objection to the proposal subject to the imposition of suitable conditions which secure, amongst others, the retention and protection of the existing boundary trees and the implementation of suitable pollution prevention measures as part of the development to protect the surrounding environment including the watercourse running along the southern boundary of the site. The permission will be conditioned in accordance with their advice in the interest of complying with the ecological objectives of Policy EQ4 of the LDP.

Furthermore, in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017, the Authority has undertaken an Appropriate Assessment of the impact of the development upon the Carmarthen Bay and Estuaries Special Area of Conservation (SAC) which concludes that, with the implementation of the pollution prevention measures, the development will not have a detrimental effect upon water quality within the SAC either alone or in combination with other development. NRW have confirmed their acceptance of the conclusions of the Appropriate Assessment.

Living Conditions and Amenity

The layout of the development and separating distances to adjacent residential properties will ensure the development will cause no unacceptable to existing living conditions in terms of loss of privacy and overshadowing. Whilst the derelict dwelling to the south of the site is located close to the site boundary, the intervening trees and hedgerow will provide adequate screening between both should the dwelling be renovated and occupied in the future. The separating distance from the front windows of existing bungalow on the opposite side of Tenby Road to the proposed new access will also prevent an unacceptable level of headlight glare from vehicles accessing and egressing the development.

Colleagues in Public Protection have confirmed their acceptance of the findings of the noise assessment which concludes that the development will have no adverse effect upon nearby properties in terms of vehicular movements and plant noise and recommend the imposition of planning conditions limiting the noise from the latter. Furthermore, they are satisfied that cooking odours from the development would be kept to acceptable levels by ventilation and extraction equipment and that the development will not have an adverse impact on air quality in the surrounding area.

Concerns have been expressed by residents about the likely level of litter from the proposed restaurant. Whilst it is acknowledged that this can be a problem with take away premises, litter bins are to be provided outside the restaurant and the proposal will include the implementation of a litter management plan where staff will carry out litter patrols within a 100 metres of the boundary of the site. Its implementation will be secured via a suitable planning condition.

Concerns regarding anti-social behaviour resulting from the development are outside the scope of planning control. Nonetheless, it is noteworthy that Dyfed Powys Police have raised no objection to the proposal in this regard.

The proposal is therefore in accord with the objectives of policies GP1 and TR3 of the LDP in that it will not materially harm the living conditions of nearby occupants.

Health and Well-being

To the extent that this may be considered to be a material planning consideration, a further common ground of concern amongst respondents is the perceived health impacts of fast food and drive-through outlets with many referring to the proximity of the proposal to local schools and the impact upon children's health and obesity levels. However, there is no conclusive evidence to show that the proposal would result in any significant increase in obesity or health problems in the surrounding area. Moreover, the primary school in the St Clears is located a significant distance of some 1.4kms from the site being located off station road to the east.

In addition, information submitted in support of the application demonstrates that McDonalds provide nutritional information to help customers make informed choices while also extending its choice of meal options to include 'healthy options'. They have also reduced fat and salt content in their food and drinks to encourage healthier lifestyles.

On the basis of the above, the proposal will not have an unacceptable effect on the health and well-being of those living in the surrounding area and is in accord with the objectives of Policy SP1.

Other Material Considerations

Concerns regarding the accuracy of the plans submitted are mistaken in that they clearly and accurately show the development proposed. Similarly, suggestions that the Authority should have screened the proposal in accordance with the Environmental Impact Assessment (EIA) Regulations (2017) are misjudged given that the site falls below the relevant site area threshold of 1 hectare.

A number of respondents have raised concerns regarding the potential future development of the land between the restaurant and coffee shop and the new access road, however, this area does not form part of the current application.

Whilst concerns regarding the lack of electric charging points within the development are noted, this would not be a sound basis upon which to refuse permission.

Planning Obligations

The permission granted will be subject to the completion of a Section 106 agreement securing a financial contribution towards the introduction of a pedestrian phase to the signalised traffic junction in the centre of St Clears.

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

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the Development Plan unless material considerations indicate otherwise.

Whilst the development falls partly outside the development limits of St Clears, weight must be given to other material considerations whereby the development will occupy a sustainable location on the edge of the settlement, be compatible with neighbouring developments and cause no unacceptable harm to the character and appearance of the area. It will also provide new employment opportunities through the creation of a large number of full and part time jobs.

Furthermore, and as outlined in the appraisal above, there are no sustained ecological, highway or amenity objections to the development. There are no sequentially preferred sites that could realistically accommodate the development within or adjacent to the town centre and the nature of the proposal and reliance on passing trade from the A40 will safeguard against any unacceptable impacts on the town centre. The proposal will also support the provision of highway infrastructure for the development of the neighbouring housing allocation

For these reasons, it is concluded on balance that the proposal represents an acceptable form of development that will be in general accordance with the objectives of the LDP as a whole as well as those of national planning policy. The application is therefore put forward with a favourable recommendation subject to the completion of a Section 106 agreement securing a financial contribution towards the improvement of the signalised traffic junction in the centre of St Clears.

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 shall be carried out in accordance with the following approved plans and documents:-

- Block plan (2002N) received on 7 May 2019;
- Existing site plan (2003H) received on 7 May 2019;
- Location plan (2001J) received on 7 May 2019;
- Proposed site plan (2004P) received on 7 May 2019;
- Site masterplan (2067L) received on 7 May 2019;
- Arboricultural development report dated April 2019 received on 7 May 2019;
- General arrangement and planting plan (210) received on 7 May 2019;
- Landscape concept scheme dated March 2019 received on 7 May 2019;
- Transport Assessment Summary Report dated 9 May received on 10 May 2019;
- Sections A, B and C plan (8180424/4200) received on 15 November 2018;
- Site survey plan (sheet 1 of 2) (8180424/4101) received on 15 November 2018;
- Site survey plan (sheet 2 of 2) (8180424/4102) received on 15 November 2018;
- Drainage report dated September 2018 received on 31 October 2018;
- Drainage strategy (sheet 1 of 2) (SK05 P4) received on 31 October 2018;
- Drainage strategy (sheet 2 of 2) (SK06 P4) received on 31 October 2018;
- Litter management plan received on 1 June 2019;
- Noise impact assessment dated May 2018 received on 22 May 2018;
- Archaeology Report dated July 2017 received on 24 April 2018;
- Fencing details with photo received on 6 March 2018;
- McDonalds proposed elevations (2005A) received on 6 March 2018;
- McDonalds proposed internal layout (2006A) received on 6 March 2018;
- Proposed lighting layout and schedule (DWG01) received on 6 March 2018;
- Typical barrier and lamp post details received on 6 March 2018;
- Outdoor play equipment received on 6 March 2018;
- Design and access statement (Final V5) received on 6 March 2018;
- Planning and sequential statement (Final V5) received on 6 March 2018;
- Transport assessment (February 2018 Part 1 of 2) received on 6 March 2018;
- Transport assessment (February 2018 Part 2 of 2) received on 6 March 2018;
- Costa Balustrade (Balustrade-01) received on 14 November 2017;
- Costa COD DT Canopy received on 14 November 2017;
- Costa elevations (1800(side)-01C) received on 14 November 2017;
- Costa general arrangement plan (1800(side)-02C) received on 14 November 2017;
- Costa roof plan (1800(side)-03B) received on 14 November 2017;
- McDonalds Kitchen Extract schematic (1001) received on 14 November 2017;
- Brochure – December 2016 – Alpine – square edges received on 14 November 2017;
- EQ003 Play frame received on 14 November 2017;
- McDonalds euroline patio furniture received on 14 November 2017;
- Mitsubishi Cassette unit – typical details received on 14 November 2017;
- The Poseidon tensile umbrella received on 14 November 2017;
- The Poseidon tensile umbrella speech sheet received on 14 November 2017;
- UHS bench mill, stool and table received on 14 November 2017;
- Ecological assessment dated July 2017 received on 14 November 2017;
- McDonalds Kitchen Extract Odour Control received on 14 November 2017;
- McDonalds HVAC Roof layout with attenuation drawing (02) received on 10 July 2019.

- 3 Prior to the occupation of the development herewith approved, the required access roads, footways and footpaths from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.
- 4 Prior to any use of the access by vehicular traffic, visibility splays of 2.4 metres x 43 metres to the west side and 2.4 metres x 57 metres to east side of the centre line of the access in relation to the nearer edge of carriageway, shall be formed and thereafter retained in perpetuity. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.
- 5 The access, visibility splays and turning areas 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.
- 6 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.
- 7 Prior to any part of the development being brought into use, a detailed Delivery Management Plan for the development shall be submitted to and approved in writing by the local planning authority. The plan is to be implemented in full in accordance with the approved details.
- 8 No development shall take place until a detailed Construction Traffic Management Plan is submitted for the written approval of the local planning authority and thereafter shall be implemented in full and as agreed.
- 9 Prior to the commencement of development, details of the proposed pedestrian improvements along the A4066 Old Tenby Road, as set out in the Transport Assessment Summary Report dated 9 May received on 10 May 2019 shall be submitted to and approved in writing by the local planning authority. The improvements shall be constructed in accordance with the approved details prior to the occupation and beneficial use of the development.
- 10 No development shall commence until a scheme for the upgrading of the St Clear's Waste Water Treatment Works to allow it to accommodate the foul discharges from the development without increasing the risk of breaches to the discharge consent for the waste water treatment works has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation and beneficial use of the development.
- 11 No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the use of the development and retained in perpetuity.

- 12 All site operations shall be undertaken in compliance with the approved landscape constraint and protection information, as defined in the Arboricultural development report dated April 2019 and landscape concept scheme dated March 2019 received on 7 May 2019.

Any construction operations and/or access within the defined construction exclusion zone(s) (CEZ) shall be limited to those undertaken in compliance with the recommendations of BS5837.

CEZ(s) shall be fully implemented prior to the commencement of any works associated with the development; and thereafter maintained in entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site. Any existing landscape elements, identified for protection, or part thereof, which, within a period of 5 years after implementation, are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the existing landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the local planning authority, and thereafter likewise conditioned for a further period of five years.

- 13 No development or site clearance shall take place until an appropriate and comprehensive detailed Landscape Design Scheme (LDS), has been submitted to and approved in writing by the local planning authority. The LDS shall deliver proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions. The LDS shall be in compliance with relevant guidance as provided by the local planning authority and the principles of the landscape and ecological information submitted within the Arboricultural development report dated April 2019 and landscape concept scheme dated March 2019 received on 7 May 2019, and Section 6.2 of the Ecological Assessment dated July 2017 received on 14 November 2017.

The approved Landscape Design Scheme (LDS) shall be fully implemented prior to the occupation of the development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

- 14 The cumulative rating level of the noise emitted from all plant/machinery associated with the proposed development shall not exceed the existing background noise level, which shall be determined at the nearest noise sensitive property or at another location that is deemed suitable by the authority. The background noise levels are defined as follows:-

- 49dB between the hours of 07:00 and 19:00
- 40dB between the hours of 19:00 and 23:00
- 34dB between the hours of 23:00 and 07:00

Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound. Where the background noise levels shall be expressed as LA90 1hr and the ambient noise levels shall be expressed at Laeq 1hr.

- 15 The plant shall be suitably designed in order to ensure it exhibits no features that require a character correction as defined in BS 4142: 2014 Methods for rating and assessing industrial and commercial sound, as a result of any tonality, impulsivity, other specific characteristics and/or intermittency internally or externally to any noise sensitive property.
- 16 At the written request of the local planning authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to BS 4142: 2014 Methods for rating and assessing industrial and commercial sound to determine whether noise arising from development complies with conditions 14 and 15 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Conditions 14 and 15 are not complied with then the submitted survey shall also include mitigation measures to ensure compliance with these conditions. The development shall then be undertaken in accordance with the approved details.
- 17 The plant and machinery associated with the proposed development shall be as set out in the Noise Impact Assessment dated May 2018 received on 22 May 2018 and the McDonalds HVAC Roof layout with attenuation drawing (02) received on 9 July 2019 and should provide the following levels of noise attenuation:

Plant Reference	Item Model Reference	Required Sound Reduction of Plant Items	
Daytime Operation (07:00 to 19:00)		Night Time Operation (19:00 to 07:00)	
AC01C1	MUZ-SF25VE	5 dB	5 dB
AC02C1	MUZ-SF25VE	5 dB	5 dB
S1	IDF2BDX150	25 dB	30 dB
S2	IDF2BDX150	25 dB	30 dB
E1	BW10-500	15 dB	15 dB
EF1	BW10-500	N/A	8 dB
EF1	BW10-500	N/A	8 dB

- 18 No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.
- 19 No development approved by this permission shall be commenced until a Pollution Prevention Method Statement detailing all necessary pollution prevention measures for the construction and operational phase of the development is submitted to and

approved in writing by the local planning authority. The details of the PPMS shall be implemented as approved.

As a minimum the PPMS must include the following points.

- Storage facilities for all fuels, oils and chemicals.
- Any water features on the site and how they will be protected.
- How any watercourses will be crossed or confirmation that this is not applicable.
- Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.
- Details of the nature, type and quantity of materials to be imported on to the site.
- Measures for dealing with any contaminated material (demolition waste or excavated waste).
- Details on waste types that will be produced and how they will be managed.
- Details on any invasive species on site and how they will be managed.
- Identification of any buried services, such as foul sewers, so that they are protected.
- Details of emergency contacts, for example Natural Resources Wales' Pollution hotline 0300 065 3000.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission
- 3-9 In the interests of highway safety (Policies GP1 & TR3).
- 10-11 To ensure the installation of an appropriate drainage scheme and to prevent the pollution of the environment. (Policies GP1, EP2 & EP3)
- 12-13 To protect existing landscape and ecological features and ensure the provision, establishment and maintenance of an appropriate landscaping scheme. (Policy GP1)
- 14-17 In the interests of safeguarding residential amenity. (Policy GP1)
- 18 To protect historic environment interests whilst enabling development. (Policies EQ1 and SP13)

19 To prevent the pollution of the environment. (Policies GP1 and EP3)

Notes

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

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

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

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

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).
- 3 The planning permission hereby granted is subject to a legal agreement pursuant to Section 106 of the Town and Country Act 1990 (as amended) to secure the provision of a financial contribution towards the cost of introducing a pedestrian phase to the northern arm of the signalised junction in the centre of St Clears to further improve pedestrian facilities to and from the development.