

**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 IONAWR 2020  
ON 14 JANUARY 2020**

**I'W BENDERFYNU/  
FOR DECISION**

***Ardal  
Gorllewin/  
Area West***



**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.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>14 JANUARY 2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/37398</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	PROPOSED ERECTION OF A SINGLE NEW DWELLING AT LAND ADJACENT TO, THE GLYN, DREFELIN, LLANDYSUL, SA44 5XB

<b>Applicant(s)</b>	ROBERT HORSLEY, MANORFAN, FELINDRE, LLANDYSUL, SA44 5UG
<b>Agent</b>	CASTLE ARCHITECTURAL DESIGNS LTD-MATT EDWARDS, BANK HOUSE, 9 BRIDGE STREET, NEWCASTLE EMLYN, CARMS, SA38 9DX
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Llangelor
<b>Date of validation</b>	15/06/2018

## 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 site is located within the defined village of Drefelin approximately 1km (along the highway) south east of the larger village of Drefach Felindre. Drefelin is an attractive village with traditional style properties positioned along the highway that runs through the village. The site represents a gap between the existing built up frontage of the village and comprises an area laid to lawn and an existing timber workshop building. The northern boundary of the site adjoins the highway with the eastern and western boundaries adjoining neighbouring properties known as Y Glyn and Danderi respectively. The southern boundary adjoins the the river, Nant Bargod that is associated with the areas historic woollen industry and the presence of Dolgoch Mill, a grade II listed former mill located to the south east of the application site. Despite its proximity to the adjoining watercourse, the site is not affected by flooding, according to Natural Resources Wales' Development Advice Map.

## Proposal

The proposal seeks outline planning permission, with all matters reserved, for the erection of a detached single dwelling on the site and demolition of the existing timber workshop building. Members are advised that only the principle of development is being sought at present, with matters concerning access, appearance, layout, landscaping, and scale to be considered at the later, reserved matters applications stage subject to first gaining Outline Planning Permission. However, as required under legislation, an indicative layout has been provided which suggests how the site may be developed and includes the following scale parameters:

- Width – 8m minimum to 10m maximum
- Depth – 8m minimum to 10m maximum
- Height (to ridge from ground level) - 9.5m maximum

Access to the site would have to be taken from the adjoining highway and the indicative layout suggests provision for two off-street car parking spaces along with a garden area to the side. The proposal also includes a 3m buffer zone along the southern boundary adjoining Nant Bargod that is to remain undisturbed.

## Planning Site History

W/09265	One Detached Residential Bungalow and Garage Full Refused	14/04/2005
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This application was refused on grounds that the proposal in terms of its scale and design was not appropriate and would represent an overdevelopment of the site; that it would detract from the character of the existing prevalent two storey character of dwellings in the village with limited amenity space; and no provision for off-street parking was proposed.

TMT/04046	Formation of Vehicular Parking Area for Dwelling Full Granted	30/06/2003
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This permission refers to the creation of a parking area for the property known as Danraidd located opposite the application site and which was, and remains to be, within the same ownership.

## Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP3 Sustainable Distribution- Settlement Framework
- SP6 Affordable Housing
- SP13 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
- H2 Housing within Development Limits
- AH1 Affordable Housing

TR3 Highways in Developments- Design Considerations  
EP1 Water Quality and Resources  
EQ4 Biodiversity

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.

**Land Drainage** – no objections.

**Llangeler Community Council** – have raised objections to the proposal on the basis that there is insufficient parking provision within Drefelin and there are a row of properties adjacent to the site with no parking provision. On-street parking along the narrow road currently causes obstruction and concerns are raised in relation to emergency services access through the village. It is concerning that the proposal would further exacerbate the existing situation.

**Local Member(s)** - Councillor Ken Howell is a member of the Planning Committee and has made no prior comment.

**Dwr Cymru/Welsh Water** - no objections subject to the imposition of a condition to ensure that no surface water is to be directed to the public sewerage network

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

## Summary of Public Representations

The application was the subject of notification by way of a site notice. Two objections were raised from two nearby householders raising the following objections:

- The application site is not accurately drawn and includes a right of way to the river
- Parking within the village is a huge problem that this development would exacerbate
- Vehicles parking along the road block visibility from private accesses
- Application site is a parking area for an existing dwelling
- Out of character to fill every gap in the village with residential buildings
- Concerns over the proximity of the dwelling to neighbouring properties

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

## Appraisal

The main issues of this case are deemed to be whether the principle of development is acceptable, the impact of the development on the character and appearance of the area, impact upon the living conditions, impact on biodiversity and impact on highway safety.

## **Principle of development**

The application site is located within the defined and established settlement of Drefelin where the principle of residential development is acceptable in principle subject to compliance with the development plan and any other material planning considerations.

## **Impact upon character and appearance of the area**

The application site is currently a gap (with exception of the wooden workshop building) in the established built up frontage of the village with residential properties either side and opposite. The only matter that can be considered at this stage is whether the principle of effectively filling this gap with a dwelling is acceptable. On this basis, it is considered that an additional dwelling in this location would reflect the existing pattern of development in the village. The submitted indicative layout indicates that the site is capable of being developed for a single dwelling whilst maintaining an area of open space and gap between adjacent properties. Whilst the comments raised by local objectors stating that no every gap should be filled, it is considered in this instance that the addition of 1 new dwelling on the application site would not represent an overdevelopment of the site, and subject to an acceptable design to be considered at the reserved matters stage, development of the plot for a dwelling would not have an unacceptable impact upon the character and appearance of the area. The application is therefore, at this stage, considered to comply with Policy GP1(a) of the LDP. Furthermore, it is considered that the site is sufficiently distant from the nearby listed building to reduce any unacceptable impact upon its setting. However, the impact upon the setting of the listed building would be further scrutinised at the reserved matters stage when full details of the proposal are submitted.

## **Impact upon living conditions**

The erection of an additional dwelling between existing dwellings has, in general, the potential to impact upon the living conditions of both existing and future residents. However, based on the indicative layout it is considered that the site is capable of accommodating a dwelling that would sit comfortably within the site, and could replicate the scale and form of similar dwellings in the village and therefore limit the impact on the living conditions of nearby properties. It is therefore considered at present that the proposal complies with Policy GP1(d) of the LDP. It is the case however that this will be further scrutinised at the reserved matters stage when further details are submitted for consideration.

## **Impact on biodiversity**

The proposal involves the demolition of the existing workshop building and erection of a dwelling in close proximity to the adjoining watercourse. The application was the subject of a bat scoping survey which found no signs of bats within the building proposed for demolition but included various recommendations in terms of the development to ensure appropriate measures are in place to avoid any potential impacts if bats or birds are found and to include proposed enhancement measures. The Planning Ecologist has confirmed that the approach put forward is acceptable subject to the imposition of conditions to secure the mitigation and enhancement measures. As such the application is considered to comply with Policy EQ4 of the LDP. Furthermore, concerns were raised by the Ecologist given the proximity of the site to the adjacent watercourse and the requirement under Policy EP1 to safeguard watercourse through the use of buffer zones to protect riparian habitats and species. Following discussions with the applicant, a buffer zone of 3m from



the edge of the watercourse has been agreed whereby no development or disturbance is to occur. This has been included on the plans and agreed by the Ecologist. The development is therefore considered compliant with Policy EP1 of the LDP.

## **Highway Safety**

The objections raised by third parties raise concerns regarding the impact of this development in terms of both exacerbating the existing parking issues within the village through the addition of a new dwelling and the displacement of the incidental parking that takes place both on and adjacent to the site on the street. The concerns raised by the third parties are acknowledged in that on-street parking is a common occurrence within the village due to the limited availability for off-street parking for the traditional dwellings due principally to their siting and topography of the area. However, it is the case that, the indicative layout provided with this application suggests that the site could accommodate adequate off-street parking to serve the dwelling albeit this is likely to be 2 parking spaces only and as such by default will dictate that the resultant dwelling could only have a maximum of 2 bedrooms to comply with the CSS Parking Standards that the Council adheres to.

In terms of the displacement of existing car parking spaces, it is the case that the application site was previously granted permission as a car parking area associated with the dwelling known as Danraidd that is in the same ownership as the current applicant. The application for a car parking area was submitted by the applicant (the same applicant as current) out of desire as previously the property of Danraidd did not have a parking space associated with it. The impact of this proposal would therefore revert back to the previous position. The Highway Authority have not raised any objections to the scheme as submitted and rather have recommended approval of the application subject to the imposition of conditions to secure off-street parking to serve the dwelling. It is therefore considered, on balance, that it appears that sufficient land within the site is available to provide for off-street parking for the dwelling and whilst the proposal would displace an existing car parking area in the ownership of applicant, it is not considered that the displacement of one space would warrant the refusal of the application on such grounds. The application is therefore considered to comply with the requirements of Policy TR3 of the LDP.

## **Other Matters**

The matters raised by objectors to the development have been addressed in the report above. However, concerns regarding the rights of access over the application site area which have been raised are classed as matters of a civil nature rather than a material planning consideration. Nevertheless, the applicant via their solicitor has confirmed that there are no charges or covenants, conditions, easements or other restrictions in the Titles covering the site that would prohibit or affect the proposed development.

## **Planning Obligations**

The application triggers an affordable housing contribution under Policy AH1 of the LDP and the applicant has completed a Unilateral Undertaking to secure such a contribution which in this area of the County is equivalent to £74.65 per sqm of the internal floorspace of the dwelling. The final level of contribution would be determined at the reserved matters stage when details of the floorspace area would be provided.

# 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 development is acceptable in principle and the submitted indicative information confirms that the site is capable of accommodating a dwelling without having an unacceptable impact upon the character and appearance of the area, the setting of the nearby listed building and the living conditions of neighbouring residents. Sufficient safeguards are in place to ensure that the development would not have an unacceptable impact upon the biodiversity. The concerns regarding impact of the development on existing parking is acknowledged, however it is considered on balance that this proposal would not exacerbate the situation to a degree that would warrant refusal of the application especially given that the indicative details indicated that sufficient room would be available to provide off-street parking to serve the dwelling. The applicant has agreed to pay a financial contribution towards affordable housing secured by way of a Unilateral Undertaking. The application is therefore considered to comply with policies SP1, SP3, SP6, SP13, SP14, GP1, GP2, H2, AH1, TR3, EP1 and EQ4 of the Carmarthenshire Local Development Plan and is recommended for approval subject to the Unilateral Undertaking and the following conditions:

## 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 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
- 3 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-

- 1:1250 scale Location Plan [1623 Rev A] received 10 October 2019
- 1:500 scale Block Plan [1623 Rev A] received 10 October 2019
- 1:500 scale Possible Indicative Layout Plan, only in so far as it relates to the Proposed Scale Parameters stated thereon [1623-A Rev A] received 10 October 2019

- 4 Details and plans showing the ground levels / finished floor / roof levels of the site and dwellings hereby approved, together with cross sections through the site shall be submitted to and approved in writing by the local planning authority as part of any Reserved Matters application for the site. The details shall reflect the scale and character of existing neighbouring dwellings. The development shall thereafter be carried out in accordance with those details approve.
- 5 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole U5470 Road frontage within 2.0 metres of the near edge of the carriageway.
- 6 Details of a scheme of parking dedicated to serve the dwelling within the application site area shall be submitted at the reserved matters stage. The approved scheme shall be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.
- 7 Details of parking and turning provision for all construction and delivery vehicles during the construction phase of the development shall be submitted at the reserved matters stage. The details shall include arrangements to ensure that the highway remains free from obstruction. The development shall thereafter be carried out in accordance with the approved details.
- 8 A buffer zone of 3m measured from the top of the river bank along the site's boundary with the adjacent watercourse known as Nant Bargod and as indicated on the approved plan shall be provided and maintained in perpetuity. The buffer zone shall remain undisturbed and free from any development and disturbance, including amenity space, footpaths or storage at all times including during construction.
- 9 The development hereby approved shall be carried out strictly in accordance with sections 8.3, 8.6, 8.8 and Appendix 2 of the Preliminary Bat Scoping and Presence/Absence Surveys by Esther Thomas dated 16 May 2018.
- 10 No development shall take place until a pollution prevention management plan detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the Local Planning Authority. The details of the plan shall be implemented as approved and must be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.
- 11 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C, D and E other than that hereby approved, shall be carried out without the written permission of the Local Planning Authority.

## Reasons

- 1 Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).
- 2 This is an outline planning permission only and reserved matters approval must be sought from the Local Planning Authority.
- 3 In the interest of clarity as to the extent of the permission.
- 4 In the interests of visual amenity and to ensure that the dwellings reflect the character and appearance of the area.
- 5 – 7 In the interests of highway safety.
- 8-10 In the interests of biodiversity.
- 11 To exert control over the future development of the site to ensure that the character and appearance is maintained and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014.

## Notes

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

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

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

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

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



<b>Application No</b>	<b>W/39414</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	PROVISION OF TWO DOMESTIC BUILDING PLOTS AT LAND ADJ TO MWYNFAN, HEOL BRYNHAUL, PONTYATES, LLANELLI, SA15 5TD

<b>Applicant(s)</b>	MS CAROLINE DAVIES, 160 BOROUGH ROAD, LOUGHOR, SWANSEA, SA4 6RZ
<b>Agent</b>	MARK STEPHENS CHARTERED ARCHITECT - MARK STEPHENS, Y WERN, KIDWELLY, SA17 5AP
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llangyndeyrn
<b>Date of validation</b>	05/09/2019

## 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 site is an undeveloped parcel of land which is primarily within the settlement development limits of Pontyates. The village boundary cuts off the north western extent of the garden so this would need careful control. The site follows the natural boundary of the rear hedgeline.

The site slopes gently up from the access and is enclosed within defined hedge banks. There are bungalows to the north east and south west of the site.

The site is accessed from Heol Nazereth via a relatively narrow private lane, however it only serves a small number of dwellings which primarily back onto the lane and there are opportunities for improvements within the applicant's ownership. The edge of the site along the lane appears to form an informal parking opportunity for third parties whose houses are immediately backing onto the lane with their primary facades facing onto their private garden areas. A small section of the hedge bank has been cut into at road level which is being used as an informal parking area.

The site has a Public Right of Way (Footpath 30/99) passing along the frontage which turns into a green lane to the west.

## Proposal

The application seeks outline planning permission for the development of 2No. detached dwellings. It should be noted that all matters are reserved so the site layout is subject to future approval.

Indicatively, the dwellings are set back in the plot with 3No. parking spaces to the front of each dwelling.

The proposal also includes a 'no build zone' in excess of 9m as shown between the plots and the applicant's own property known as Mwynfan. After concerns were raised in terms of highway and pedestrian safety, the applicant has agreed to the provision of a turning opportunity using part of the 'no build zone' in the interests of highway safety.

A unilateral undertaking has been submitted in respect of the affordable housing contribution which is applicable in this location.

## Planning Site History

None

## 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

**Error! Reference source not found.** Housing within Development Limits

**Error! Reference source not found.** Affordable Housing

**Error! Reference source not found.** Location of Development - Transport Considerations

**Error! Reference source not found.** Highways in Developments - Design Considerations

[Carmarthenshire Supplementary Planning Guidance](#)

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

## Summary of Consultation Responses

**Head of Transportation & Highways** – Had queries regarding vehicular traffic using a single track private road, however supports the provision of a turning facility as shown on the revised layout.

**Llangyndeyrn Community Council** – Objects on the basis of traffic at the Nazereth Road junction.

**Local Member(s)** - Councillor WT Evans is a member of the Planning Committee and has made no prior comment.

**Dwr Cymru/Welsh Water** – Has no adverse comments.

**Coal Authority** – Has concern over the level of detail submitted, however has no objection to the proposal. A condition is recommended so that more detail is submitted with any reserved matters 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 neighbour letters on receipt of the application and on receipt of amended plans.

Five representations were received objecting to the original submission and the matters raised are summarised as follows:

- Access/Parking/Turning for Third Parties
- Lack of pedestrian facilities
- Drainage and surface water flooding
- Privacy – the proposal is at a higher level to the rear of properties
- Loss of hedge – impact on wildlife
- Damage to private road

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

## Appraisal

### Highway Impacts

The site is accessed via a private single track road which leads from Heol Nazereth. It's noted that there is informal parking along the verge, however this has been clarified as being by consent of the applicant and there is no formal right of parking. The private lane accesses 10 properties including the applicant's own. Third party concern (including the Community Council) has been raised on the grounds of highway safety and traffic generation. The applicant is shown to own approximately 85m of the frontage along the private lane. Through negotiation, the applicant has amended the plan to show a turning area on the 'no build zone' thereby improving the private lane by providing a highway gain for third parties. The existing and proposed accesses and proposed turning facility would provide enhanced passing opportunities. It is recommended that the turning head be provided prior to commencement of any other development on the site for ease of



movement whilst construction is taking place. Overall, whilst there would be less informal parking, it is considered that there would be a highway safety gain from the development.

#### Lack of Pedestrian Facilities

The lack of pavement is noted, however it is a short stretch of private road with slow speeds and good visibility. It is noted that the road is private, so given the short nature of the road and low speed, it is not considered to be unacceptable.

#### Drainage and Surface Water Flooding

The proposal would be subject to SAB approval, so would not increase surface water runoff from the land as it would have to be dealt with sustainably. If there is a pre-existing problem with water flowing from elsewhere, residents need to address the source of the problem. If the water is being generated on the site, the SAB submission is likely to make the situation better as there will be less general run off from the land and more diverted to the SuDS scheme.

#### Potential Privacy Impacts

The scheme has been amended in response to the concerns and there is now a gap in excess of 21m from the front of the proposed houses to any windows on the rear of the existing properties which look on to the application site. It is also noted that the private lane provides overlooking of windows at much closer proximity than the proposed houses. The proposed dwellings are not therefore considered likely to result in unacceptable loss of privacy and amenity.

#### Potential Biodiversity Impacts

It is noted that there is a sparse patchy hedge along the frontage of the lane that would be affected by the access to the proposed development. The remaining boundaries would be unaffected. Any hedge species could however be translocated to the boundary with the "No Build Zone" which is not defined by any natural boundary.

#### Damage to Private Road

Any damage to the private road is a private civil matter between the applicant and the other owners of the road.

## **Planning Obligations**

A unilateral undertaking has been submitted to secure an affordable housing contribution.

## **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 amended, it is concluded on balance that the site offers an opportunity to develop two infill plots primarily within settlement development limits. The end of the gardens are outside settlement limits, however it is recommended to withdraw permitted development rights so that the garden areas can be controlled. Whilst concern has been raised by third parties, the applicant has responded with amended plans which demonstrate that the site is able to accommodate the two dwellings without unacceptable adverse impacts on privacy, amenity or highway safety, therefore the proposal is considered to comply with the above policies and is recommended for approval.

### 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 (General Development Procedure) Order 1995.
- 3 Development shall not commence until detailed plans of the layout, 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 1:400 scale Location Plan dated 18 December 2019.
- 5 Prior to commencement of development on either plot, full details of a turning head as shown on the 1:200 scale indicative Block Plan dated 25 November 2019 shall be submitted to and approved in writing by the Local Planning Authority. The turning head shall be provided prior to commencement of any other development on the site and shall be kept open and available for vehicles using the private lane in perpetuity.
- 6 Any reserved matters application shall include a scheme for the translocation of the hedgerow that fronts the private road.
- 7 Any reserved matters application shall include the following:

- A report of the findings of a scheme of intrusive site investigations which is adequate to properly assess the potential risks posed to the development by past shallow coal mining activity and off-site mine shaft 246208-003
- The submission of a layout plan which identifies an appropriate zone of influence for offsite mine shaft 246208-003 and the definition of suitable 'no-build' zone around this feature;
- The submission of a scheme of remedial works for the shallow coal workings for approval; and
- The submission of a scheme of mitigatory measures to mitigate against the sudden loss of ground support where the zone of influence for off-site mine shaft 246208-003 extends into the site.

The approved scheme of remedial works and mitigatory measures shall be implemented as approved.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no buildings shall be erected within the area beyond the LDP boundary as identified on the 1:200 scale plan dated 25 November 2019.

## 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.
- 3-4 In the interests of visual amenity in accordance with Policy GP1 of the LDP.
- 5 In the interests of highway safety in accordance with Policy TR3 of the LDP.
- 6 To prevent to loss of a landscape and biodiversity feature in accordance with Policy EQ4 of the LDP.
- 7 To minimise the risk of past mining activity in accordance with Policy EP6 of the LDP.
- 8 To protect the character and amenity of the open countryside in accordance with Policy GP1 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 £51.35 per square metre internal floor area towards affordable housing.
- 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk))

<b>Application No</b>	<b>W/39441</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	PROPOSED CROSS HANDS HEALTH AND WELLBEING CENTRE AT UNIT 1 PARC MAES YR EITHIN, CROSS HANDS, LLANELLI, SA14 6SY

<b>Applicant(s)</b>	HYWEL DDA UNIVERSITY HEALTH BOARD - KEVIN MORGAN, CORPORATE OFFICES, YSTWYTH BUILDING HAFEN DERWYN, ST DAVIDS PARK JOBSWELL ROAD, CARMARTHEN, SA31 3BB
<b>Agent</b>	THE URBANISTS - MARK FARRAR, THE CREATIVE QUARTER, 8A THE MORGAN ARCADE, THE CREATIVE QUARTER, CARDIFF, CF10 1AF
<b>Case Officer</b>	Eilian Jones
<b>Ward</b>	Gorslas
<b>Date of validation</b>	10/09/2019

## Reason for Committee

This application is being reported to the Planning Committee since the County Council has a significant financial interest in the application.

## Site

The proposed development site is located on a vacant development site at Cross Hands. It is approximately 1.24 hectares of previously developed land, located north of, and adjacent to, the existing Cross Hands retail park known as Parc yr Eithin.

The site is adjacent to a landscaped corridor embankment, and further away, the A48 highway on its eastern boundary. The existing Spine Road forms the site's western boundary. Land to the north comprises a land drainage system, plus residential land further north. The southern boundary is formed by the perimeter fence of the adjoining service yard of the Parc yr Eithin retail uses. The highway along the western boundary connects the existing retail uses to the south with recent residential developments to the north, leading to Cefneithin.

## Proposal

The proposed development seeks outline planning consent with all matters reserved for subsequent approval for a Health and Wellbeing Centre. This is a major application since the application site is over a hectare in area and the proposal involves the construction of a building that would be in excess of 1000 sq.m.

In terms of background, outline planning permission was granted in 2012 for a mixed use development encompassing the former colliery tip, former Kwiksave and land adjacent to a nearby school. The outline proposal defined areas for retail, residential and a health centre / residential care home. The outline provided an extended timeframe for the submission of reserved matters, however this has since expired and has led to the submission of this application.

The latest scheme has been subject to pre-application discussions with the Local Planning Authority in which informal advice was offered on the proposed development. The scheme has also been subject to separate pre-application community consultation (PAC) with the outcomes of the consultation provided in a report that accompanied this formal application.

## Relevant Planning Site History

S/23696	Application for development of land at Crosshands West, comprising: Class A1 retail foodstore; Class C3 residential development; Class D1 Medical care facility; class C2 residential home; Class A3 workingman's club; new drainage, services, transport and highways infrastructure, including access to potential school "drop off"/vehicular access, associated engineering operations, strategic landscape and environmental resource areas and public open space including improved playing fields Outline Granted Unilateral Undertaking.	14/12/2012
S/27584	New highways and infrastructure, access to school drop off / parking bay, new junction configurations, associated engineering operations to create development plateaus, strategic landscaping, public open space and improved playing fields, and associated works Reserved Matters Granted	09/04/2013
S/39436	Proposed construction of residential development comprising 60no. dwellings with associated access, parking, landscaping and infrastructure works Undetermined	

## Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) (CLDP)

SP1 Sustainable Places and Spaces  
SP2 Climate Change  
SP3 Sustainable Distribution- Settlement Framework  
SP8 Retail  
SP14 Protection and Enhancement of the Natural Environment  
SP16 Community Facilities  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
GP3 Planning Obligations  
GP4 Infrastructure and New Development  
EMP5 Mixed Use Sites  
TR1 Primary and Core Road Networks  
TR2 Location of Development – Transport Considerations  
TR3 Highways in Developments – Design Considerations  
EQ4 Biodiversity  
EQ5 Corridors, Network and Features of Distinctiveness  
EQ7 Development within the Caeau Mynydd Mawr SPG Area  
RE3 Non-wind Renewable Energy Installations  
EP1 Water Quality and Resources  
EP2 Pollution  
EP3 Sustainable Drainage  
EP6 Unstable Land

[Carmarthenshire Supplementary Planning Guidance](#)

[The following guidance documents are considered relevant to the determination of this application:](#)

[Caeau Mynydd Mawr SPG](#)

[Nature Conservation and Biodiversity SPG](#)

[Planning Obligations SPG](#)

[Placemaking and Design SPG](#)

[National Planning Policy and Guidance](#)

[Planning Policy Wales](#) (PPW) Edition 10, December 2018 is considered relevant to the determination of this application.

The following [Technical Advice Notes](#) (TANs) published by Welsh Government are considered relevant to the determination of this application:

TAN 5 Nature Conservation and Planning (2009) seeks to ensure that protected species, habitats and designated sites are both protected and conserved by the planning system.

TAN 11 Noise (1997) provides advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development.

TAN 12 Design (2016) seeks to promote sustainability principles through good design and identifies how Local Planning Authorities can facilitate this process through the planning system.

TAN15 Development and Flood Risk (2004) seeks to minimise the impact of flooding on existing/proposed developments and communities.

TAN18 Transport (2007) endeavours to ensure Wales develops an efficient and sustainable transport system to meet the needs of a modern, prosperous and inclusive society.

TAN 20 Planning and the Welsh Language (2017) provides guidance on how the planning system considers the implications of the Welsh language when LDPs are prepared and in terms of determining planning applications where the needs and interests of the Welsh language may be a material consideration.

TAN23 Economic Development (2014) considers the role of land use planning in generating wealth, jobs and income.

## **Summary of Consultation Responses**

**Head of Transportation & Highways** - No objections to the proposal subject to conditions, advisory notes and a requirement for a financial contribution of £30,000 to be provided for the provision of a pedestrian phase scheme at Cross Hands Square to improve road safety.

**South Wales Trunk Roads Agency** - No objections to the proposal.

**Head of Public Protection** – Noise: No objections to the proposal subject to conditions.

Air Quality and Dust: No objections to the proposal subject to conditions and advisory notes.

Contamination: No objections to the proposal subject to conditions and advisory notes.

**Natural Resources Wales** - No objections to the proposal subject to conditions and advisory notes.

**Dwr Cymru/Welsh Water** - No objections to the proposal subject to conditions and advisory notes.

**Land Drainage Officer/Sustainable Drainage Approval Body (SAB)** – No adverse comments received and indicated that the development is likely to require separate drainage approval from SAB.

**Planning Ecologist** – No objections subject to conditions and advisory notes.

**Coal Authority** - No objections to the proposal subject to advisory notes.

**Police** – Supports the proposal.

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

**Local Members** - Councillor Darren Price has not commented to date.  
Councillor Aled Vaughan Owen has not commented to date.

## **Summary of Public Representations**



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

No representations were received.

## **Appraisal**

The proposed development seek outline planning consent with all matters reserved for subsequent approval for a Health and Wellbeing Centre in Cross Hands.

### Principle of Development

Since the application is seeking outline planning consent with all matters reserved for subsequent approval, only the principle of the development is being considered with an indicative plan submitted to show how the site could be developed and the scale parameters of any buildings to be constructed. In this particular case, the application is proposing one large building with the following scale parameters:

Height: 5m – 17.5m

Length: 82m – 95m

Depth: 35m – 50m

A storage area is also proposed with the following scale parameters:

Height: 3m – 8m

Length: 18m – 25m

Depth: 10m – 17m

The indicative plan suggests a building being sited at the northern end of the site and the parking and access facilities in the central and southern parts of the site. Access would potentially be from the main Spine Road.

According to the submitted Design and Access Statement, the main aim of the project is to deliver a community hub that brings together a range of public services under one roof to improve access to a range of primary, community and social care services, within an environment that is compliant with regulatory standards and is suitable for the delivery of a sustainable twenty first century model of care.

This development aims to provide a sustainable solution for the continued provision of primary and community health and social care which will make a difference to the health and well-being of present and future generations living in the area.

The applicant, Hywel Dda University Health Board (HDUHB), is leading the project in partnership with Carmarthenshire County Council and the two local GP Practices; Tumble and Penygroes. In addition to this, other service providers are involved in the co-production of proposals including Swansea University School of Medicine, Dyfed Powys Police and Third Sector partners.

The site lies within the development limits and Growth Area of Cross Hands, as defined by Policies SP3 and GP2 of the adopted Carmarthenshire Local Development Plan (CLDP). Proposals within defined Development Limits will be permitted, subject to satisfying

policies and proposals of this Plan, national policies and other material planning considerations.

The CLDP Proposals Map identifies the site as being allocated for a mixed use comprising residential, retail, health care, community facilities and amenity under allocation GA3/MU1. A large proportion of this allocation has been developed, therefore this proposal seeks to deliver the health and community facilities aspect of the allocation, thus contributing to delivering the overall allocation, as set out under Policy EMP5 Mixed Use Sites and supporting the economic development of the area.

Given to holistic nature of the proposal, the applicant's agent has clarified the various components and uses of the proposal. This has been summarised in Table 1 below:

Table 1: Proposed Uses within Cross Hands Health and Wellbeing Centre

<b>Use</b>	<b>Use Class</b>	<b>%</b>	<b>Description</b>
Health	D1	90.55%	CHS – CCS, CHS Therapies, CHS – Specialists, Circulation, Clinical – Waiting Areas, Shared Spaces, GMS – Penygroes, GMS – Shared, GMS – Tumble, Services, Staff Welfare and Support, Admin
Library	D1	3.98%	152.1m <sup>2</sup> on Level 0. Community library.
Cafe	A3	0.49%	18.6m <sup>2</sup> on Level 0. Internal use, part of community library
Pharmacy	A1	3.42%	130.8m <sup>2</sup> on Level 0. Use to be granted under licence. Accessible from within the building and from outside.
Community Police Office	A2	1.57%	59.9m <sup>2</sup> on Level 0. Manned by four community police officers as administrative base, with facility for public drop in.

Whilst the total floorspace of the proposed building is not yet fully known, Table 1 has provided a breakdown of the percentage of the floorspace that would be allocated to each use. In this particular case, over 90% of the building will be for Use Class D1 to cater for healthcare facilities and a library. Only a small percentage would cater for other uses such as retail (A1 - Pharmacy), Professional Services (A2 - Community Police Office) and a Café (A3). Whilst these small size units would be stand-alone uses, they would appear secondary to the primary use of the building and remain compatible with the mixed-use allocation, defined by Policy EMP5 of the CLDP without competing with other allocations, such as defined retail and employment areas. However, to ensure effective control over the development and to ensure that the proposal remains in accordance with the overarching mixed-use allocation of Policy EMP5, it is considered necessary for any permission issued to include a condition which limits the floorspace for each use within the building to the percentages specified in Table 1. Subject to the above, it is considered that the proposal is acceptable in principle to the aims and objectives of Policies SP3, SP8, SP16, GP2 and EMP5 of the CLDP and TAN23.

#### Site Layout, Design and Visual Amenity

Policy GP1 of the CLDP establishes the criteria for ensuring that any new development promotes sustainability and high quality design. This is supported by SPG: Placemaking

and Design (SPG: PD) and TAN12. Since all matters have been reserved for subsequent approval, the scheme can only be considered against this Policy and others within CLDP in its broadest sense.

The site is currently a vacant brownfield site which is covered by an allocation for mixed use development. The site is relatively flat with a difference of approximately 1.5m across the whole area. Given the size of the site and its context, the difference in site levels is very gradual and not readily apparent.

The application has been supported with illustrative elevations of the proposed development. Whilst these suggest a building of contemporary design, only limited weight could be given to the drawings since such details would be subject to consideration under any subsequent reserved matters application. The drawings are however useful in gauging the appropriateness of the proposed scale parameters of the building within the site and its context. In this respect, the site is located away from the older parts of Cross Hands and within an area which is in the process of defining its own character due to adjacent modern retail and residential developments. In this regard, there is a clear change in the environment and character when approaching the site from key public roads, for example: onto West Link Road from Carmarthen Road, onto Spine Road from Llandeilo Road and onto Spine Road from Heol y Parc.

The adjacent new retail stores have created scope which allows a departure from the existing scale, massing and architectural styles of buildings within the settlement. There is also an acknowledgement that the proposal involves a building of strategic and community importance. It is common for such buildings to be large and visible so that it can be easily identified and recognised by the public. It is also noted in this particular case that the site is adjacent and visible to the A48. The site itself is also very large with the indicative plan suggesting ample areas for parking with various areas for landscaping. As such, the site would not appear unduly dense or overdeveloped.

The application has been accompanied by an existing and proposed site levels plan. This suggests that the site, in principle, could be developed without any significant changes to existing levels or extensive engineering works.

Having regard to the above, whilst the scale parameters of the proposal makes allowances for a very large building, it is considered that this could, in principle, be accommodated on the site without resulting in any unreasonable visual or amenity harm. It is however considered necessary to impose a condition for the agreement of all external finishes of the development.

The site backs onto the servicing area of the retail units which is currently, and rather unfortunately, exposed to public views. There is an opportunity by this proposed development to provide a more pleasant appearance and definition to the public realm by securing boundary treatments and landscaping along this boundary. As such and in the interests of visual amenity, it is considered necessary to impose a condition for the agreement of and new boundary treatments to be erected.

With regards to the site layout and design of the proposed development and its impact upon visual amenity, it is considered that this proposal satisfies Policies SP1, GP1 of the CLDP, SPG: PD and TAN12.

#### Residential Amenity and Noise

The site is not in the immediate proximity of any residential dwelling, with the nearest being the new residential site (Heol Cae Pwnd) which is approximately 150m to the north. There are properties along Carmarthen Road to the south-west are at a distance of over 150m. As such, it is considered that the proposal would not have any unreasonable adverse effect on the amenities of these properties, with particular regard to dominance, loss of light, outlook, privacy and amenity by virtue of noise and disturbance from the uses of the proposed Health and Wellbeing Centre.

Notwithstanding this, an application for 60 dwellings on land to the west of the site (opposite side of the Spine Road) is currently being considered by the Local Planning Authority. It is also noted that this adjacent site appears to have extant permission for 54 dwellings. Furthermore, there is extant permission for further residential development to the north of the site, on the opposite side of a watercourse and ecological buffer zone (adjacent to Heol Cae Pwnd). These properties would be approximately 60m from the boundary of the application site. Whilst none of these dwellings have been constructed, the fact that permission is in place is sufficient to be deemed a material consideration in the determination of this application for the Health and Wellbeing Centre.

The indicative plan shows a building being located along the northern end of the site. This configuration would be predominantly aligned with a pumping station and its access road rather than the approved dwellings. As such, it is possible for a large building of the scale parameters to be sited on the application site without resulting in any unreasonable loss of amenity, with particular regard to dominance, loss of light, outlook and privacy.

The applicant's agent has indicated that the proposed Health and Wellbeing Centre will generally operate between core hours of 08.00 and 18.00. However, some rooms will be bookable by the third sector and community groups which is likely to extend closing time to 20.00-21.00. Some Community Health staff may need to call at the building outside core hours to collect supplies however there would be no calling visitors of the public. The police facilities would be 24 hour use and will be used as a base for the Community Policing Team and capable of receiving visits from the public at any time. The retail use would be open during normal trading hours and the library and café being open during similar although unlikely to be open on Sundays.

The site is within a sustainable location and the proposed development would involve the co-location of a variety of closely-related uses and services which would further improve the sustainability of the area. Whilst it is possible that the proposed development could generate a degree of noise and distance to the future occupiers of the site to the immediate west, there would mutually beneficial trade-offs to occupiers by virtue of being close to multiple health and wellbeing services and the variety of other sustainable facilities nearby.

It is however considered prudent to impose a condition to control the opening times of the development, particularly during night and early mornings where residents should not be subjected to any unreasonable loss of amenity. In this regard and based on the times suggested by the agent, it is considered reasonable to impose a condition which restricts visiting members of the public, patients and customers associated with all uses apart from the Community Police Office (A2) to the hours of 07:30 – 21:30 (daily). The condition would not, however, restrict usage by employers since this is likely to be very limited when there would be no public access.

Due to the operational nature of the Community Police Office (A2) and the small amount of percentage floorspace attributed to this use (1.57% of total floorspace of the building), it is considered reasonable for this use to have unrestricted hours as this would not result in any unreasonable loss of amenity to neighbouring residents.

A noise assessment has been submitted with the application and has been considered by the Public Protection Department of the Council. There are no objections to the proposal subject to conditions.

Subject to the conditions recommended by the Public Protection Department and conditions to control opening times of the development and limiting the floorspace for each use within the building to the percentages specified in Table 1, it is considered that there would be effective control over the development and it would not result in any unreasonable loss of amenity to neighbouring residents or future occupiers of the development, thereby satisfying Policies SP1, GP1 and EP2 of the CLDP and TAN11.

The Police has examined the scheme and confirm that they support the proposal and that it will achieve Secured by Design standards.

#### Air Quality

It has been noted that an Air Quality Assessment was submitted for the site as part of the outline consent for mixed use development across a much larger site and included a medical centre (S/23696), which concluded there would be negligible impact on the locality.

Whilst that Assessment was based on modelled data and the surrounding area has since significantly changed through the implementation of various developments, it was considered prudent for this latest application to undertake a screening assessment to determine whether a further detailed Air Quality Assessment should be performed. This assessment has been considered by the Council's Environmental Health Officer who is satisfied that a more detailed assessment is not required and has no objections to the proposal.

The latest Assessment however has incorporated a series of mitigation measures. Any scheme presented within any reserved matters application would need to include these measures and a condition has therefore been recommended. Their recommended condition for the control of dust arising from the construction phase of the development has been amalgamated with the CEMP condition recommended by NRW.

Notwithstanding the above, in the interests of air quality, sustainability and well-being, a separate condition is recommended which requires 10% of all car parking spaces to be provided by the development to be fitted with electric charging points. Since this is a non-residential development scheme and community well-being is a fundamental component of the proposal, this condition, and the amount to be provided, is supported by Planning Policy Wales (Edition 10). Having regard to the above, it is considered that the proposal would not have any significant adverse effect on air quality, thereby satisfying Policies SP1, SP2, GP1, RE3 and EP2 of the CLDP and PPW10.

#### Ground Contamination

The application has been accompanied by a Ground Investigation Report which has been considered by the Public Protection Department of the Council and Natural Resources Wales (NRW).

The application site is deemed to be brownfield land and was historically subject to mining/industrial uses. The site is also situated at or within 250 metres of commercial or industrial land use. Whilst the site has already been subject to some remediation, in order to ensure that former land uses are fully considered and remediated in relation to the proposed commercial end use, the Environmental Health Officer has recommended several conditions. Subject to their imposition, there are no objections to the proposal.

In addition to the above, NRW are responsible for considering groundwater contamination. The application site is within close proximity to the Gwendraeth Fawr River and their records indicate that there is an active land drain/watercourse within the development site, providing connectivity to this river.

Having regard to the above, NRW consider it possible that there may be unidentified areas of contamination at the site which could pose a risk to controlled waters if they are not remediated. As such, NRW recommend a condition which ensures that any unsuspected contamination at the site are dealt with appropriately and a further condition requiring the submission of a Construction Environmental Management Plan (CEMP) to protect the integrity of controlled waters and other environmental constraints. Subject to the above conditions, it is considered that the proposed development would not have any significant adverse effect on human health, controlled groundwaters and the general environment, thereby satisfying Policies SP14, GP1, EP1 and EP2 of the CLDP.

#### Coal Mining

The application site falls partly within the defined Development High Risk Area; therefore within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority's information indicates that coal seams outcrop across the site which may have been worked in the past. The application has been accompanied by a Ground Investigation Report which includes consideration of coal mining legacy matters. The report indicates that a rotary borehole investigation was carried out across the site to a maximum depth of 40m in order to investigate potential shallow mine workings. The report indicates that whilst coal was encountered during drilling works, this was found to be intact, with no evidence of mine workings recorded.

Based on the results of the site investigations and other relevant mining and geological information, the report author considers that the risk posed to the proposed development by unrecorded shallow mine workings is low.

The Coal Authority considers that the content and conclusions of the Ground Investigation Report are sufficient for the purposes of the planning system and meet the requirements of Planning Policy Wales in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objections to the proposed development, thereby satisfying Policy EP6 of the CLDP.

#### Drainage and Utilities/Infrastructure

The majority of the site is within Zone B flood risk area, as defined by Technical Advice Note 15. Zone B are areas which have known to have flooded in the past, but TAN15 does not preclude development, in principle, from occurring in such areas. Natural Resources

Wales (NRW) have not requested the submission of a Flood Consequences Assessment nor have they raised any adverse comments on flooding matters.

Notwithstanding the above, it is important that any development of the site is supported by appropriate drainage facilities so as to not increase flood risk. The application has been accompanied by a Drainage Strategy Report.

Surface water runoff from the proposed development will be discharged by various Sustainable Drainage System methods and via an attenuated connection to the nearby Gwendraeth Fawr watercourse.

Foul drainage would discharge to the public sewerage system with the nearest being a 150mm diameter gravity foul sewer running along the spine road on the western side of the site. The sewer runs in a northerly direction and connects to the pumping station located in close proximity to the site. A new gravity system that connects to a pre-constructed spur located within the development boundary would be installed. This would then connect to the existing public sewer.

Welsh Water consider both foul and surface water drainage to be acceptable in principle and have no objections to the proposal subject to a drainage-related condition. The Council's Drainage Officer has acknowledged that the drainage associated with the proposal will require separate consent from the Sustainable Drainage Approval Body (SAB) and, as such, has not raised any adverse comments. Additionally, NRW have not raised any adverse comments towards the proposed drainage strategy.

Having regard to the above, it is considered that the proposed development and site could, in principle, be supported by adequate drainage facilities which would not result in any harm to amenity, flood risk or the existing drainage infrastructure. A condition would be imposed requiring comprehensive details of both foul and surface water to be submitted with any subsequent reserved matters application with those details being in accordance with the principles of the drainage strategy submitted with this outline application. It is therefore considered that the proposal satisfies Policies SP1, SP2, GP1, EP1, EP2 and EP3 of the CLDP and TAN15.

The site is within the development limits where other utilities and infrastructure necessary to support the proposed development are present, thereby satisfying Policy GP4 of the CLDP.

#### Ecology/Biodiversity

The application has been accompanied by an Ecological Enhancement and Management Strategy which included a Phase 1 habitat survey and an assessment of the habitats present for their potential to support protected and significant species.

According to the report, the site mainly comprises of bare colliery shale with varying amounts of colonising vegetation but the only habitat of any significance is located on the steep plateau batter inside the eastern site boundary where a small area of diverse vegetation including neutral and marshy grassland, tall-herb vegetation and scattered scrub provides faunal cover, foraging, potential roost and nest sites and a wildlife travel corridor.

No protected species were identified on site although the report notes that bats and some bird species may forage over the area and Otters may occasionally use the disturbed Gwendraeth Fawr River located outside the application site.

Notwithstanding this, since this is an outline application with all matters reserved for subsequent approval, the report does not raise any biodiversity or ecology matters which inhibits the development, in principle. The report however makes a series of recommendations which have been considered by the Council's Ecologist. The Ecologist is satisfied with the level of assessment made, the findings of the submitted assessments, and the ecological recommendations provided within the relevant documents. As such, the Ecologist consider that the recommendations satisfy the objectives of Policies SP1, SP14, EQ4 and EQ5 of the CLDP. Conditions have been recommended should any permission be forthcoming. These relate to the submission of an Ecological Design Scheme at the reserved matters stage and any subsequent development is to be carried out in accordance with the recommendations of the submitted Ecological report.

The site lies within the catchment area of the Caeau Mynydd Mawr Special Area of Conservation (SAC) as defined by Caeau Mynydd Mawr SPG (SPG: CMM). In such areas, there is a need to consider proposed developments which have the potential of impacting upon the Caeau Mynydd Mawr SAC. The SPG establishes a management strategy to ameliorate for the loss of and secure the ongoing and future management of habitat used by the Caeau Mynydd Mawr SAC marsh fritillary butterfly metapopulation. In such instances, the SPG provides a mechanism for funds to be secured from planning permissions issued in order to mitigate for the loss of habitat that is likely to occur as a result of development. It also similarly mitigates for any reduction in the permeability of the landscape within the SPG area due to development. This enables planning permission to be granted without the need for an Appropriate Assessment in every instance.

Section 5 of the SPG does allow for offsetting (or part offsetting) of contributions in lieu of on-site mitigation. However, since this is an outline application with all matters reserved for subsequent approval, the amount of on-site mitigation cannot yet be quantified. As such, the SPG calculates that a planning contribution of £31,290 per hectare is required. The applicant has agreed to provide this financial contribution. Whilst in normal circumstances, this contribution would be secured via a legal agreement associated with any outline permission issued, the Council currently has an interest in the land and therefore it is not possible for a legal agreement to be entered into at this particular stage. Under such circumstances an advisory note would be included to any planning permission issued which explains that the financial contribution would be incorporated into a condition of the land sale. Subject to this, the Council's Ecologist has no objections to the proposal and it is considered that the proposal would not have any significant adverse effect on ecology/biodiversity and the Caeau Mynydd Mawr SAC, thereby satisfying Policies SP1, SP14, EQ4 and EQ5 of the CLDP, SPG: CMM, SPG: Nature Conservation and Biodiversity (SPG: NCB) and TAN5.

#### Parking and Highway Matters

The application has been accompanied by a Transport Statement (TS) and further information which has been updated from the in-depth Transport Assessment (TA) that was submitted with the previously consented outline scheme for mixed use development across a much larger site area (S/23696).

Whilst it is acknowledged that the proposed development under this latest application will generate significant traffic movement from the site, the collective movement across the



wider area covered by the former outline permission is less than that anticipated in the original TA which considered a food superstore and petrol filling station, whereas the site was later developed as a retail development under application S/33609. The Highway Authority agree with these findings and the Welsh Government's Transport Division have no objections to the proposal

The site is in a sustainable location with good pedestrian access via the spine road which connects to key areas of the settlement. The western boundary of the site provides access to an existing Shared Use Facility (SUF). It is also noted that the proposal involves the construction of a public bus turning area which could potentially allow the bus service to be extended to the site, thereby improving the ability for users of the proposed development to travel by sustainable transport. The Highway Authority have no objections to the proposal subject to conditions.

Since this is an outline application with all matters reserved for subsequent approval, the proposal must at the very least demonstrate that the site, in principle, is capable of accommodating sufficient land for parking, having discounted the land necessary for other elements of the scheme such as access, circulation spaces, buildings, landscaping, ecology/biodiversity and utilities.

Access is a matter that is reserved for subsequent approval, therefore, it is not possible at this stage to precisely determine the location of the access to the development. Notwithstanding this, the site is bounded on one side by the spine road, therefore it is logical to conclude that access would be provided at some point along the western boundary of the site. The indicative plan suggests this arrangement with the access provided in a relatively central position. Having regard to the above and since access is a matter that is reserved for subsequent approval, it is considered that the site can, in principle, be served by a suitable point of access. In this respect, the Highway Authority have no objections to the proposal subject to conditions.

The precise layout and configuration of the parking area would be considered separately as a reserved matter. The application has included a detailed a parking assessment which is considered against the requirements of CSS Wales Parking Standards 2008, which is the Authority's adopted policy/standards. In accordance with the standards the site requires some 237 parking spaces.

Notwithstanding this, the site is within a sustainable location in transportation terms and the Highway Authority agrees that a 30% reduction in parking requirements can be applied in this particular instance, in line with Appendix 6 of the standards. This brings reduces the total requirement to 166 spaces. Calculations indicate that 164 spaces of correct dimensions (2.6m x 4.8m) could, in principle, be provided within the site. Whilst this is marginally less than the requirements of the parking standards, it is considered that the shortfall of two spaces would not be materially harmful to amenity and highway safety and the Highway Authority have no objections to the proposal subject to conditions. Furthermore, this matter must be balanced with the benefits of the scheme which is to establish a facility which aims to improve the health and wellbeing of the community. Furthermore, given the nature of the proposal and following discussions with the Highway Authority, the development is required to include a public transport pick-up, drop-off and turning area which takes-up a proportion of the area of the site which could otherwise be used for parking. These are deemed to outweigh the marginal shortfall in the number of parking spaces that could, in principle, be provided within the scheme.

The Highway Authority have explained that a financial contribution of £30,000 towards the provision of a pedestrian phase scheme at Cross Hands Square to improve road safety is required. This contribution is considered justified since the proposal is likely to generate significant footfall at Cross Hands Square.

Having regard to the above, it is considered that the scheme, in principle, would not have any significant adverse effect on highway/pedestrian safety, thereby satisfying Policies SP1, GP1, TR1, TR2 and TR3 of the CLDP, TAN18, PPW10 and The Active Travel Act.

## **Planning Obligations**

This application generates the requirement for a financial contribution of £31,290 per hectare towards ecology (Caeau Mynydd Mawr) and £30,000 towards the provision of a pedestrian phase scheme at Cross Hands Square to improve road safety.

The applicant has agreed to these 'head of terms'. Whilst in normal circumstances, these contributions would be secured via a legal agreement, the Council currently has an interest in the land and therefore it is not possible for a legal agreement to be entered into at this particular stage. Under such circumstances an advisory note would be included to any planning permission issued which explains that the financial contributions would be incorporated into a condition of the land sale. Subject to the above, the proposal satisfies Policies GP3, TR3 and EQ7 of the CLDP and SPG: CMM, SPG: Planning Obligations (SPG: PO), TAN18, PPW10 and The Active Travel Act.

## **Planning (Wales) Act 2015 (Welsh language)**

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Carmarthen as a result of the proposed decision, thereby satisfying the requirements of TAN20. Any subsequent signs associated with the end-use of the site will require separate advertisement consent in which consideration would be made on their impact on the Welsh Language.

## **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 WBFG Act imposes a duty on public bodies to carry out sustainable development. The sustainable development principle is

*'... the public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.'*

The Act deals with improving the social, economic, environmental and cultural well-being of Wales with an overarching aim of creating a Wales we all want to live in, now and in the future. In this respect the Act sets out the following 5 ways of working:-

5 Ways of Working in the Act are:-

- Prevention
- Integration
- Involvement
- Collaboration
- Long Term

And puts in place the following 7 well-being goals:-

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language, and
- A globally responsible Wales

The proposed development represents a true multi agency and multi sectoral approach, which is well aligned with the collaborative aims of the Act. The scheme focusses on integrating services on one site, with the aim to improve health and well-being in the longer term. As such, it is considered that the proposal accords with the 5 ways of working required in the Act.

The Health and Wellbeing Centre will offer a broad range of employment and community services within both the locality itself and regionally and it is considered that the proposed development will have social/cultural, environmental and economic benefits that align with the 7 well-being goals of the Act.

In order to comply with the requirements of WBFG Act, Carmarthenshire County Council (CCC) has set the following 14 Well-being objectives, which the Council must take all reasonable steps to meet:-

1. Best start in life
2. Healthy children
3. Improve learner attainment
4. Reduce not in education, training or employment
5. Tackle poverty
6. More jobs and growth
7. Affordable homes
8. Help adults live healthy lives
9. Support families and communities
10. Support older people's dignity and independence
11. County wide approach to Ageing Well
12. Looking after the environment now and in the future
13. Improving the highway and transportation infrastructure and connectivity
14. Welsh Language and Culture

These objectives place a lot of emphasis upon health, employment, supporting communities and the environment and it is considered that the proposed Health and Wellbeing Centre will positively contribute towards meeting these objectives and the wider requirements of the WBFG Act.

## **Conclusion**

The proposed development seeks outline planning consent with all matters reserved for subsequent approval for major development consisting of a Health and Wellbeing Centre in Cross Hands. Only the principle of the development is being considered along with the scale parameters of the buildings to be constructed.

The redevelopment of this large, vacant brownfield site, and the resultant economic, social and environmental benefits, are to be welcomed and the proposed development accords with the principles of the Local Development Plan.

The site lies within the development limits of Cross Hands and forms part of a larger allocated site for a mixed use comprising residential, retail, health care, community facilities and amenity spaces. This proposal seeks to deliver the health and community facilities aspect of the allocation, thus contributing to the delivery of the overall allocation.

This proposal will deliver a community hub that brings together a range of public services under one roof to improve access to a range of primary, community and social care services. This is deemed to be a sustainable solution for the continued provision of primary and community health and social care with anticipated benefits to the health and well-being of present and future generations living in the area.

It has been demonstrated that the site can, in principle, accommodate buildings within the proposed scale parameters and all supporting infrastructure, parking and landscaping without resulting in any unreasonable visual or amenity harm.

The site can, in principle, be developed without generating any significant levels of pollution and any existing ground contamination is capable of being remediated without undue harm to human health and groundwater.

It has also been demonstrated that the residential amenity of neighbouring properties would not be unduly harmed by the proposed development and that adequate servicing arrangements would be available to serve the site.

There is highway capacity to adequately accommodate this development and despite the slight anticipated shortfall in parking provision within the site, it is concluded on balance that this would not be significantly detrimental to the locality or highway/pedestrian safety, especially when balanced with the overriding benefits that this health and well-being centre would bring to the local community.

Subject to conditions and financial contributions, the proposal will not result in any significant harm to ecology/biodiversity or highway/pedestrian safety.

## **RECOMMENDATION – APPROVAL**

## Conditions

- 1 The development hereby approved is restricted to the land outlined in red on the following approved plan:
  - CHCH-AHR-ZZ-ZZ-DR-A-20-0001 Rev. 2 – Location Plan (Scale 1:1250, received 31 July 2019)
- 2 The buildings hereby approved shall be limited to the following scale parameters:

Health and Wellbeing Centre:

Height: 5m – 17.5m  
Length: 82m – 95m  
Depth: 35m – 50m

Ancillary Storage Building:

Height: 3m – 8m  
Length: 18m – 25m  
Depth: 10m – 17m
- 3 The consent hereby granted shall be limited to the following Use Classes [defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order] and the amount of floorspace allocated for that Use within any building hereby approved shall not exceed the following percentages:

<b>Use</b>	<b>Use Class</b>	<b>Allocated %</b>
Health	D1	90.55%
Library	D1	3.98%
Cafe	A3	0.49%
Pharmacy	A1	3.42%
Community Police Office	A2	1.57%

- 4 Application(s) 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.
- 5 Development shall not commence on any given phase until detailed plans of the access; appearance; landscaping; layout; and scale of each building stated in the application for that respective phase, have been submitted to and approved in writing by the Local Planning Authority.
- 6 Prior to the commencement of the development hereby approved a notice shall be given to the Local Planning Authority:
- a) stating the date on which the development is to begin;
- b) giving details of the planning permission and of such other matters as is required by Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended (“the Order”).
- 7 Pursuant of any reserved matters application, a scheme of noise, acoustic and ventilation measures, in accordance with the document 5192/ENS1 – Environmental Noise Survey Report (30 May 2019, conducted by Hunter Acoustics) shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include (but not limited to):
- i) details to demonstrate that any the internal spaces within the buildings hereby approved do not exceed the noise levels stipulated within Table 5192/T1 – HTM 08-01 Noise Intrusion Criteria from External Sources, specified under Section 2.1.2 of the document 5192/ENS1 – Environmental Noise Survey Report (30 May 2019, conducted by Hunter Acoustics);
- ii) a mechanical ventilation strategy identifying the specification of the mechanical ventilation system to be installed within any buildings;
- iii) a glazing and sound insulation mitigation strategy identifying the specification of the glazing and sound insulation measures to be installed within any buildings.
- 8 The development shall not be brought into beneficial use until the approved sound insulation and ventilation measures have been installed in accordance with the approved details and a certificate by a suitably qualified Acoustician to confirm that the measures have been installed as approved being submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be operated and maintained in accordance with the approved details and be retained in in that manner in perpetuity.
- 9 The rating level of sound emitted from the proposed development as a whole, including any fixed plant or machinery associated with the development, shall not exceed the existing background sound level of:

45dB LAeq (15 min) between the hours of 07:00 and 23:00

34dB LAeq (1hr) between the hours of 23:00 and 07:00

The rating sound levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable and approved in writing by the Local Planning Authority. Measurements and assessments shall be made in accordance

with BS 4142: 2014 Methods for Rating and Assessing Industrial and Commercial Sound and/or its subsequent amendments, where the background noise levels shall be expressed as LA90 1hr and the ambient noise levels shall be expressed at Laeq 15 min.

- 10 Prior to the installation of any fixed plant or machinery associated with the development hereby approved, a certificate from a suitably qualified acoustic consultant shall be submitted to and approved in writing by the Local Planning Authority. The certificate shall confirm that the cumulative rating level of all plant or machinery does not exceed the existing background sound level specified by Condition 09. The plant or machinery shall be installed in accordance with the approved details.
- 11 At the written request of the Local Planning Authority, the applicant/developer shall undertake and submit to the Local Planning Authority a noise assessment conforming to BS 4142: 2014 Methods for rating and assessing industrial and commercial sound, to determine whether noise arising from development exceeds the sound levels specified in Condition 09. The assessment shall be undertaken under the supervision of the Local Planning Authority. In the event that the sound levels specified in Condition 09 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the sound levels specified in Condition 09 and a timetable for their implementation. The mitigation measures shall then be implemented in accordance with the approved details and timetable.
- 12 The uses hereby permitted [apart from uses within Use Class A2 defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order] shall not be open to visiting members of the public, patients and customers *outside* the following times:  
  
07:30 – 21:30 (daily)
- 13 No development shall take place on the application site until the applicant has:
  - i) Prepared a desktop study (Preliminary Risk Assessment) which shall include the identification of previous land uses, potential contaminants that might reasonably be expected given those uses and other relevant information, such as pathways and exposure to potential receptors. This information shall also be presented in tabular or diagrammatical form (Conceptual Site Model) for the site and all potential contaminant sources, pathways and receptors shall be included. In order to complete the conceptual site model, it may be necessary at this stage to undertake limited exploratory sampling. The Preliminary Risk Assessment shall be submitted to and be approved by the Local Planning Authority.
  - ii) Prepare a detailed scheme for the investigation and recording of contamination for the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) shall be submitted to and approved by the Local Planning Authority. The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards.

- iii) Submitted detailed proposals for site remediation and verification (Remediation Strategy) which may involve the removal, containment or otherwise rendering harmless such contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards. The Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencing of any development. Development of the site shall be carried out in accordance with the approved Remediation Strategy.
- 14 Prior to occupation of any part of development hereby approved, a final remediation verification report demonstrating completion of the works set out in the approved Remediation Strategy (Condition 13 iii) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
- 15 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.
- 16 Prior to the importation of any soil and/or material for the purposes of land remediation and ground works, that soil and/or material shall be chemically tested, to demonstrate that it meets the relevant contamination screening requirements for the proposed end uses. A copy of the certificate of analysis, details of the source of the soil and/or material and an interpretation of the analytical results by a suitably qualified individual shall be submitted to and approved in writing by the Local Planning Authority prior to its import. No other soil and/or material shall be imported onto the site.
- 17 No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
- i) Construction methods including details of materials, waste, contaminated land.
  - ii) General Site Management: construction programme, site clearance requirements, construction drainage, site set-up plan detailing sensitive receptors and buffers zones, relevant protection measures e.g. fencing.
  - iii) Biodiversity Management: Tree and hedgerow protection, invasive species management.
  - iv) Soil management: topsoil strip, storage and amelioration for re-use.
  - v) Control of Nuisances: restrictions on timing/duration/frequency of works, dust control measures, control of light spill and conservation of dark skies.
  - vi) Resource Management: fuel and chemical storage, waste management, water consumption, energy consumption.
  - vii) Traffic Management: deliveries, plant on site, wheel washing facilities.



- viii) Pollution Prevention: demonstrate compliance with relevant Guidelines for Pollution Prevention, incident response plan, site drainage plan.
- ix) Ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.
- x) Details of the persons/bodies responsible for activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved for the entire duration of site preparation and construction phases of the development.

- 18 No development shall commence on site until details/samples of materials and finishes to be used on the external surfaces of the buildings for that phase of development have been submitted to and approved in writing by the Local Planning Authority. The development of that phase shall then be carried out using the approved materials and finishes.
- 19 No development shall commence on site until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. The boundary treatments shall be completed in accordance with approved plan, details and timetable.
- 20 No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, road and roof/yard (surface) water from that phase will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the principles of the document: Drainage Strategy Report Rev. P03 (1593-CAM-ZZ-XX-RP-C-00-0001), June 2019, Cambria (received 13 August 2019). The approved scheme shall be implemented in full prior to the beneficial use of any part of the development or in accordance with a timetable which has first been submitted to and approved in writing by the Local Planning Authority. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
- 21 Fumes from any food preparation areas associated with the A3 use hereby approved [as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order] shall be mechanically extracted and the extraction system shall be provided with de-greasing and de-odorising filters. Details of the any extraction equipment (including scaled schematics, location plans, odour & noise attenuation measures and future maintenance) shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The equipment shall be installed in accordance with the approved details prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the approved details.
- 22 The development hereby approved shall be carried out in strict accordance with the following ecological recommendations contained within the document titled: Ecological Enhancement and Management Strategy (dated 26 July 2019, conducted by Pryce Consultant Ecologist):
  - i) Sections 2.2, 3.1 (Buffer Protection),

- ii) 2.5, 3.5 (Reptile Clearance),
- iii) 2.8, 3.7 (Pre Commencement Badger Check and Mitigation Measures),
- iv) 2.9, 3.8 (Nesting Bird Vegetation Clearance Timing)
- v) 3.9 (Invasive Species Precautions)

23 At reserved matters stage a comprehensive Ecological Design Scheme (EDS) shall be submitted to and approved in writing by the Local Planning Authority. The EDS scheme shall deliver detailed design proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions. The scheme shall be in compliance with the principles of the landscape and ecological information submitted with the document titled: Ecological Enhancement and Management Strategy (dated 26 July 2019, conducted by Pryce Consultant Ecologist):

- i) Sections 2.2, 4.1, 5.2 (Extent of Buffer and Future Management)
- ii) 2.3, 3.2, 3.3, 4.2, 5.3, 5.4, 5.5, 5.6, 5.7.1 – 5.7.6. (Landscape Details and Management)
- iii) 2.5, 4.4 (Reptile Refugia and Maintenance)
- iv) 2.6 (Habitat Piles)
- v) 2.7, 3.6, 4.5 (Lighting and Bat Roosting Features and Maintenance)
- vi) 2.9, 3.8, 4.7 (Bird Box Locations and Maintenance)

The development of the site shall be carried out in strict accordance with the approved EDS.

24 Notwithstanding the requirements of Condition 23 (Ecological Design Scheme), no development shall commence until a landscaping scheme and a landscape maintenance and management schedule has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the number, species, heights on planting and positions of all trees and shrubs and a scheme for their maintenance and management for a period of 5 years from the date of their planting. The approved landscaping shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of the development. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an approved maintenance and management schedule. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition, a full planting season shall mean the period from October to April.

25 Any reserved matters application shall include the Air Quality Mitigation Measures stated within Section 6.6 of the Air Quality Assessment (December 2019, conducted by Phlorum Ltd).

26 Notwithstanding the requirements of Condition 25 (Air Quality Mitigation Measures), prior to the beneficial use of the development hereby approved 10% of the parking spaces shall be fitted with electric vehicle charging points in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The charging points shall be retained thereafter in perpetuity.

27 Any reserved matters application shall include a scheme showing the site access for vehicular traffic having a visibility splay of 2.4 metres x 59 metres either side of

the centre line of the access in relation to the nearer edge of carriageway. The access shall be constructed in accordance with the approved scheme and implemented in full prior to the beneficial use of the development hereby approved. The approved access and visibility splays shall thereafter be retained in perpetuity. In particular there shall at no time be any obstruction above 0.9 metres within this splay areas.

- 28 Any reserved matters application shall include a scheme of parking and turning facilities within the curtilage of the site which is dedicated to serve the proposal. The approved parking and turning scheme shall be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities shall be obstructed by non-motorised vehicles.
- 29 Any reserved matters application shall include a scheme of drop-off, pick-up and turning facilities to serve public bus services together with necessary bus shelter infrastructure within the curtilage of the site. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the drop-off, pick-up or turning facilities shall be obstructed by non-motorised vehicles.
- 30 Any reserved matters application shall include a scheme detailing the provision and frequency of use of facilities for washing down the wheels of vehicles prior to entering the public highway. The approved wheel wash facility shall be provided prior to the commencement of development and shall then be used in accordance with the approved scheme for the entire duration of the construction works.
- 31 Any reserved matters application shall include a detailed Construction Traffic Management Plan. The site shall be developed in accordance with the approved Plan and implemented for the entire duration of the construction works.
- 32 Notwithstanding the requirements of Condition 25 (Air Quality Mitigation Measures), any reserved matters application shall include a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development. The detailed Travel Plan shall also include a timetable for its implementation and details of an appointed Travel Plan Coordinator which is assigned to supervise the implementation of the Travel Plan. The Plan shall be implemented in accordance with the approved details and timescale.
- 33 All surface water from the development hereby approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway and no surface water from the development hereby approved shall be disposed of, or connected into, existing highway surface water drains.

## **Reasons**

- 1 For the avoidance of doubt or confusion as to the extent of the permission hereby granted.
- 2 For the avoidance of doubt or confusion as to the extent of the permission hereby granted and in the interests of visual amenity.

- 3 For the avoidance of doubt or confusion as to the extent of the permission hereby granted and to ensure that the proposal remains in accordance with the overarching mixed-use allocation of Policy EMP5 of the CLDP.
- 4 Required by Section 91 of the Town and Country Planning Act 1990.
- 5 In order to ensure a satisfactory layout of the site and in the interest of visual amenities.
- 6 To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.
- 7 In the interests of amenities and to safeguard the users of the proposed development.
- 8 To ensure that the amenities of future occupiers of the development hereby approved are protected.
- 9 In the interests of the amenities of neighbouring properties and to ensure that the amenities of future occupiers of the development hereby approved are protected.
- 10 To ensure that the amenities of future occupiers of the development hereby approved are protected.
- 11 For the avoidance of doubt or confusion as to the extent of the permission hereby granted and to ensure that the amenities of future occupiers of the development hereby approved are protected.
- 12 In the interests of the amenities of neighbouring properties.
- 13 To ensure that the site is appropriately remediated, in the interests of pollution prevention and public safety.
- 14 To ensure that the site is appropriately remediated, in the interests of pollution prevention and public safety.
- 15 To ensure that the site is appropriately remediated, in the interests of pollution prevention and public safety.
- 16 To ensure that the site is appropriately remediated, in the interests of pollution prevention and public safety.
- 17 To protect the integrity of controlled waters, ecology/biodiversity and to ensure that the amenity of neighbouring properties are adequately protected during the development of the site.
- 18 To ensure that the development is completed in a manner compatible with its surroundings and in the interests of visual amenities.
- 19 To ensure that the development is completed in a manner compatible with its surroundings and in the interests of visual and residential amenities.

- 20 To prevent hydraulic overload of the public sewerage system and pollution of the environment, to ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.
- 21 To ensure that the amenities of occupiers of other premises in the vicinity are protected and in the interests of visual amenities.
- 22 In the interests of ecology and biodiversity.
- 23 In the interests of ecology and biodiversity.
- 24 To ensure that the development is completed in a manner compatible with its surroundings, in the interests of visual amenity and ecology/biodiversity.
- 25 In the interests of air quality.
- 26 In the interests of sustainability and air quality; and in accordance with Planning Policy Wales (Edition 10).
- 27-33 In the interests of highway/pedestrian safety.

## Notes

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

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

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

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

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).
- 3 To address Condition 24 (Ecological Design Scheme), the applicant/developer is advised that the scheme shall include the following:

- Details of habitats, landscape, environmental and ecological features present or to be created at the site. Protection measures for retained habitats.
- Details of the desired conditions of features (present and to be created) at the site.
- Details of scheduling and timings of activities.
- Details of short and long-term management proposals, monitoring proposals and maintenance operations of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired landscape and ecological conditions and functions.
- Details of monitoring of landscape and ecological features and required post construction monitoring.
- Details of replacement measures should any landscape or environmental features die, be removed or become seriously damaged or diseased within the lifetime of the development
- Details of management and maintenance responsibilities.
- Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed between interested parties.
- Mechanisms to be used for reporting.

4 Since the development construction area proposed is likely to be greater than 100m<sup>2</sup>, the applicant/developer is advised that separate drainage approval will be required (SAB Approval). Further information on “how to apply” can be found on Councils’ website at [www.carmarthenshire.gov.wales/sab](http://www.carmarthenshire.gov.wales/sab)

5 Any prospective purchaser(s) of the land referred to in the Planning Permission W/39441 will be required in the Contract of Sale to enter into a S106 Agreement with Carmarthenshire County Council for the provision of a planning contribution of £31,290 per hectare towards ecology, in accordance with Supplementary Planning Guidance: Caeau Mynydd Mawr and a financial contribution of £30,000 to be provided for the provision of a pedestrian phase scheme at Cross Hands Square to improve road safety.

<b>Application No</b>	<b>W/39590</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED CHANGE OF USE OF EXISTING PASTURE LAND TO A CAMPSITE - TO INCLUDE 1 SHEPHERD'S HUTS AND 5 TENTS AT PENRHIWSYCH, GLANTREN LANE, LLANYBYDDER, SA40 9SA

<b>Applicant(s)</b>	MRS DIANE LUCAS, PENRHIWSYCH, GLANTREN LANE, LLANYBYDDER, SA40 9SA
<b>Agent</b>	,
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Llanybydder
<b>Date of validation</b>	07/10/2019

## 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 lies 1km south of the village of Llanybydder and is located off Glantren Lane which leads from the A485 up towards Llanllwni mountain. The site is in an elevated position and currently comprises part of a paddock area to the rear of the property currently known as Penrhiwsych. The grassed site comprises a generally level site that is bordered to the west and south by mature hedgerow and trees whereas the northern and eastern boundaries are delineated by an electrical fence and garden boundary respectively. The boundary of the wider field area lies adjacent to a public right of way along the north western boundary.

The site has operated as a camping site since July 2019 under the 28 day permitted development rule. Access to the site is via a gated entrance to the side of the host dwelling from Glantren Lane, the access lane leads into a courtyard area beyond which is a tracked area leading into the field.

## Proposal

The development seeks to obtain planning permission for a permanent camping site comprising 5 tents and 1 shepherds hut. When originally submitted the proposal also sought permission for up to two motorhomes, but following concerns from the highway department, this element of the proposal has been eliminated. The proposal does not include any works to create permanent pitches, with the proposed shepherds hut intended to be able to be moved if necessary.

## Planning Site History

There is no relevant planning history relating to the site.

## Planning Policy

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

SP1 Sustainable Places and Spaces

SP14 Protection and Enhancement of the Natural Environment

SP15 Tourism and the Visitor Economy

GP1 Sustainability and High Quality Design

TR3 Highways in Developments- Design Considerations

TSM2 Touring Caravan and Tent Sites

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 following removal of the motorhome pitches, subject to imposition of conditions to secure visibility improvements to the existing access.

**Llanybydder Community Council** – Raised concerns over the single track and road access that will prove difficult to negotiate.

**Local Member(s)** - Councillor Ieuan Davies is a member of the Planning Committee and has made no prior comment.

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

## Summary of Public Representations

The application was the subject of notification by way of a site notice. Two representations were received, objecting to the development on the following grounds:

- Neighbours have not been consulted by the applicant as indicated on the planning application form;
- Insufficient parking space for vehicles;
- Insufficient parking space for visitors with horses;



- No detail where residents of the existing bed and breakfast would park;
- Lane leading up to the site is very narrow with limited passing places;
- Lane users frequently use private entrances as passing places and the applicants have not approached owners of private entrances to ask whether visitors could use their entrances as a passing place;
- The applicants have no passing places or a splayed entrance into the site;
- Traffic generated by the proposal could obstruct private entrances;
- Other applications for planning permission have been refused on highway grounds or advised not to proceed due to highway concerns;
- Concern over proposed inclusion of campervans/motorhomes due to narrow lane;
- Concerns over intended use of cesspit and potential for sewerage to leak into watercourse network leading to a lake downstream;
- Concern over highway failures with collapsed drains and culvert that Highways Authority are aware of and if planning permission is to be granted these failures need to be prioritised.

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

## **Appraisal**

The main issues of the case are considered to be whether the principle of the development can be considered as acceptable, whether the development would have an unacceptable impact upon the character and appearance of the area and the living conditions of nearby residents and highway safety.

### **Principle of development**

Whilst the application site lies outside of the defined settlement boundary of Llanybydder, Policy TSM2 of the LDP specifies that planning permission for camping sites will be permitted provided that the site is directly related to settlement which exhibit appropriate services and facilities. In this regard, the application site is within walking distance of the village of Llanybydder which has a full range of services and facilities. The site is accessible to the village either via Glantren Lane or via a network of footpaths and whilst it is appreciated that the walk back up to the site would be uphill it is not considered that this conflicts with the policy requirement. It is therefore considered that in principle use of the land at the application site as a campsite is acceptable subject to other material planning considerations.

### **Impact upon character and appearance of the area**

The site is situated to the rear of the existing dwelling and its associated wider garden area and therefore would be rather seen as an extension of the existing built form in the area. The existing field boundaries help screen the site from views and this, coupled with the intended low number of pitches and restriction to tents only and only 1 hut, it is not considered that the use of the site would have an unacceptable impact upon the character and appearance of the area or wider landscape. This is further the case given that the proposal will rely on the existing access into the site rather than the creation of a new access point.

## **Impact upon living conditions**

Glantren lane serves a number of properties and farms, with the nearest property to the application site located approximately 150m to the south east, with the next nearest being approximately 300m to the north. This distance, coupled with the low numbers of pitches proposed, is not considered to give rise to concerns regarding impact upon the living conditions of nearby residents. Whilst evidently, two residents have raised concerns over the impact of the development on use of the lane, and particularly the use of private entrances as passing bays, it is considered that the number of pitches proposed is low and with the omission of the motorhomes element from the proposal it is not considered that the traffic generated by the proposal would have a detrimental impact upon the living conditions of residents in terms of the use of private driveways as passing places.

## **Highway Safety**

The objections received on the application have centred around the narrow access lane that is Glantren Lane and the lack of passing bays along the road. The application has been the subject of consultation with the Highway Authority who did raise concerns regarding the access lane on the basis of the proposal as originally submitted which included the motorhomes. It was deemed that should motorhomes be proposed then additional passing bays would be required given the size of such vehicles. However, since the motorhomes element has been omitted from the scheme, the highway Authority are now comfortable with the proposal on the basis of only 5 tents and 1 shepherd's hut, and therefore raise no objections in terms of use of the access lane for the proposed use.

Turning to the existing access, the highway authority has requested improvements to the visibility to ensure that there are no obstructions over a height of 0.9m (including hedgerows, vegetation, fence). A condition securing this prior to the use of the site and subsequently in perpetuity has been suggested. On this basis, no concerns are raised in relation to the access proposal.

In terms of parking, there is ample space within the rear courtyard area and beyond for the parking and turning of vehicles for both the existing residents (including the limited bed and breakfast use) and the proposed use. This is therefore not raised as a concern.

Therefore, in terms of highway safety, whilst the concerns raised by objectors are acknowledged, on balance it is considered that the proposal, as revised, would not result in a significant increase in traffic generation that would attract a sustainable reason for refusal on highway safety grounds.

## **Other Matters**

Objectors have advised that despite the applicant stating in the application that they have consulted neighbours not all neighbours have been consulted. Whilst this is a matter for the applicants, the application has been the subject of the statutory requirements for publicising planning applications. In terms of concerns over the use of a cesspit, the installation and subsequent maintenance of cesspit is the responsibility of the applicant. Concerns regarding the state of the highway itself, including collapsed drains and culverts is a matter for the Highway Authority to address under separate legislation.

## **Planning Obligations**

No planning obligations are 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**

After careful consideration of the scheme as submitted it is concluded on balance that the proposed development represents an appropriate low impact development in the location which is well related to the village of Llanybydder via the road and public footpaths. The site is well screened by existing mature vegetation and given its intended scale, would not have an unacceptable impact upon the character and appearance of the area or the living conditions of neighbouring properties. Whilst concerns regarding the access road leading up to the application site are acknowledged, given the scale of the proposal it is not considered that the traffic generated by the development would have an unacceptable impact upon highway safety. The application is therefore recommended for approval subject to the below conditions.

### **RECOMMENDATION – APPROVAL**

## **Conditions and Reasons**

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
  - 1:1250 scale Location Plan received 2 October 2019
- 3 No more than 5 tents and 1 shepherds hut shall use the site hereby approved at any one time.
- 4 The shepherds hut accommodation hereby approved shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year. An up to date register shall be kept and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

- 5 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the application site's whole U5320 road frontage within 2.4 metres of the near edge of the carriageway.
- 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 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.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-3 In the interest of clarity as to the extent of the permission.
- 4 To clarify the nature of the development and avoid the creation of unencumbered residential unit in the open countryside that would be contrary to National and Local planning policies and guidance.
- 5-7 In the interests of highway safety.

## Notes

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

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

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

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

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

<b>Application No</b>	<b>W/39668</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE FROM HOUSING EWES AND LAMBS TO DOG KENNELS AT BLAENFFRWD, BLAENYCOED ROAD, TRAWSMAWR, CARMARTHEN, SA33 6EJ

<b>Applicant(s)</b>	NICHOLAS COAKER, NICHOLAS COAKER, BLAENFFRWD FARM, TRAWSMAWR, CARMARTHEN, SA33 6EJ
<b>Agent</b>	,
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Cynwyl Elfed
<b>Date of validation</b>	22/10/2019

## 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 lies in an elevated position 1.5km south of the village of Cynwyl Elfed and forms an agricultural holding known as Blaenffrwd. Blaenffrwd is located on the northern side of a valley area for Nant Cwm Tawel, with the farm perched on the northern valley side with the land falling steeply down into the valley to the south. A public footpath runs through the bottom of the valley. Access to the farm is via its own private access road from an unclassified highway.

The application site itself refers to an existing traditional stone barn building located within the complex of agricultural buildings on the farmyard and is the barn nearest to the existing farmhouse dwelling. The barn is single storey in height with a pitched slate roof and has historically been used as lambing pens in association with the wider agricultural holding.

## Proposal

The proposal seeks change of use of the existing traditional building from agriculture to commercial dog breeding. No external changes to the building are proposed, with only limited internal alterations added to create the required breeding kennels. It is understood that the applicant would have a maximum of six breeding dogs at any one time.

## Planning Site History

There is no relevant planning history relating to the barn.

## Planning Policy

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

GP1 Sustainability and High Quality Design

TR3 Highways in Developments- Design Considerations

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 Public Protection** – no objections raised.

**Cynwyl Elfed Community Council** – Commented that it supports the proposal provided the application is advertised clearly in the local area for people to live in the area to find out about the development and that no objections from people or neighbours would be affected by the development.

**Local Member(s)** - Councillor Irfon Jones is a member of the Planning Committee and has made no prior comment.

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

## Summary of Public Representations

The application was the subject of notification by way of a site notice. Two letters of objection were received on the application from, it is considered relevant to note that neither two are neighbours or live within the vicinity of the development. The objections raised can be summarised as follows:

- Concerns over the creation of another puppy farm despite adverse publicity in the media;
- The Council is not in a position to policy puppy farms;
- Agricultural buildings are not fit for breeding kennels;
- Puppy farming is cruel, no compassion towards dogs and should be abolished;
- The RSPCA should be consulted on the application;
- Planning permission opens the door for another puppy farm despite licensing requirements;
- Until the Council can give assurance that they can police puppy farms, no further farms should be allowed.

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

## **Appraisal**

The main issues of relevance to this case is whether the principle of development is acceptable, the impact of the proposal on the living conditions and amenity of residents and the public, the impact on the character and appearance of the area and highway safety.

### **Principle of development**

It is considered that the proposed use is an acceptable form of development in a countryside setting within an established agricultural holding in principle. It is considered that a location that is not in close proximity to adjoining residents and neighbours is more appropriate for breeding kennels than a location in a more built up area where the potential for impacts upon neighbouring residents would be greater. The development also includes the re-use of an existing building rather than the creation of a new building, with no external changes proposed. As such it is considered that the overall use is acceptable in principle subject to adherence with the development plan and any other material planning considerations.

The objections raised by the two third parties are acknowledged and, as highlighted in their responses, are reactions to recent media attention about existing dog breeding establishments within the County and throughout Wales. Both objectors make a presumption that the proposal would also lead to an additional puppy farm in the County. However, it is important to state that puppy farms are those dog breeding establishments that fall below the required standards for breeding establishments established through the licensing process. It should therefore not be presumed that all dog breeding establishments become puppy farms. It is the case that all dog breeding establishments must be licensed and colleagues within the Animal Health department have advised that the applicant in this case is aware of the licensing processes and is believed to be awaiting the results of the planning application process before formally applying for the licence. It should also be advised that just because planning permission is issued it is not automatically the case that the licence is issued. It is then the subsequent responsibility of the Council's Licensing department to monitor the establishments once in operation. The Council is aware of the issues raised in recent media attention concerning dog breeding establishments and multi-disciplinary meetings are continuing to take place to improve upon the ongoing monitoring of such establishments. Therefore, whilst the objections raised are acknowledged, it is considered that the matters would be controlled and monitored under the licensing processes and legislation.

### **Impact upon character and appearance of the area**

Given that the proposal does not involve any external changes to the building, no concerns are raised in relation to the visual impact of the development on the wider area. In addition, the intended use complements the existing wider agricultural use of the land and therefore there are no concerns in terms of the developments impact on the character of the area.

### **Impact upon the living conditions of nearby residents and the public**

There are three properties within 500m of the site, Ty Rhos which is located 250m to the south across the valley, Plas Bach which is located 350m to the west near to the junction



of the unclassified highway and Blaenige which is located 450m to the north. The potential for impacts mainly stem from noise and odour associated with the use. However, it is considered that there is sufficient distance between neighbouring properties to avoid unacceptable impacts. Furthermore, given the number of dogs proposed, which is by default restricted by the size of the building, the potential for such impacts are also minimised. The elevated position of the site is acknowledged but nonetheless is not considered to influence the potential impact to the extent that concerns would be raised. Similarly, it is not considered that users of the public footpath would be affected by the development. No concerns have been raised by the Council's Environmental Health Officers.

### **Highway safety**

The proposal would introduce an additional commercial business at the existing farm, however, given the number of dogs proposed for breeding the traffic generated by the proposal would be minimal. The existing access into the site benefits from good visibility and as such no concerns are raised in so far as highway safety is concerned.

### **Planning Obligations**

None 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**

After careful consideration of the scheme as submitted it is concluded on balance that the proposal by reason of its siting within an existing barn on the existing farm complex, would not have an unacceptable impact on the character and appearance of the area. The site is sufficiently distant from neighbouring residents to minimise any unacceptable impacts upon living conditions as well as the amenity of users of the public footpath. No concerns are raised in relation to highway safety. Furthermore, objections raised by third parties relate to the licensing of such premises and whilst the concerns raised are acknowledged, on-going multi-disciplinary meetings are taking place to ensure that the Council is monitoring licensed establishments in accordance with legislative requirements. It is therefore considered that the proposal complies with policies GP1 and TR3 of the Carmarthenshire County Local Development Plan 2014 and is recommended for approval subject to the following conditions:

**RECOMMENDATION – APPROVAL**

## Conditions

- 2 The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
  - 1:1250 scale Location Plan
  - 1:500 scale Block Plan

received 14 October 2019

## 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.

## Notes

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

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

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

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

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

<b>Application No</b>	<b>W/39822</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	EXTENSION TO PROVIDE MACHINERY, STRAW AND BEDDING STORAGE AT NANTYGELLI, CYNWYL ELFED, CARMARTHEN, SA33 6UT

<b>Applicant(s)</b>	DAVID ANTHONY THOMAS, NANT Y GELLI, CYNWYL ELFED, CARMARTHENSHIRE, SA33 6UT
<b>Agent</b>	,
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Cynwyl Elfed
<b>Date of validation</b>	21/11/2019

## Reason for Committee

This application is being reported to the Planning Committee as the as the applicant is immediately related to an employee of the Development Management Service.

## Site

The application site forms part of Nantygelli Farm, Cynwyl Elfed, Carmarthen. The 81.7hectare dairy farm currently is located approximately 1.8km due east of the hamlet of Esgair. The surrounding area is characterised by rolling pastureland and isolated rural dwellings and farms.

## Proposal

The proposal is for an extension to an existing agricultural building within the main farm complex to provide machinery, straw and bedding storage. The extension would comprise two additional bays of 6.096m each and would be flush in terms of width and height with the existing building i.e. 22.06m wide and 6.15m in height. The building would be located within an excavated area, proposed to be held back by concrete panels.

## Planning Site History

W/38395	Proposed replacement livestock building with under floor slurry storage Full planning permission granted	19/03/2019
W/38353	Proposed agricultural livestock cubicle building Prior Approval not required	19/02/2019
W/33911	Replacement livestock building with under floor slurry storage Full planning permission granted	21/07/2016
W/32333	Proposed agricultural track/road to improve access and egress of cattle and farm machinery Prior approval not required	22/07/2015
W/32332	Proposed portal frame replacement building for livestock housing and feed Prior approval not required	21/07/2015
W/30026	Excavated rock to be used for land drainage and formation of tracks. The burrow pit to be reinstated as pasture Prior approval not required	7/05/2014
W/30025	Proposed cattle access tracks Prior approval not required	7/05/2014
TMT/03200	Livestock building and slurry storage Full planning permission granted	7/03/2003
TMT/03199	Road (agricultural determination) Planning permission not required	19/02/2003
TMT/02289	Agricultural implement building Planning permission not required	10/10/2002
W/00412	Milking parlour, dairy and collecting yard Planning permission not required	18/11/1996
D4/23934	Livestock feeding/housing building Planning permission not required	22/09/1993

## Planning Policy

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

GP1 Sustainability and High Quality Design

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and provides the following guidance in respect of rural developments:

“5.6.1 A strong rural economy is essential to support sustainable and vibrant rural communities. The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas.”

“5.6.6 Planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation.”

[Technical Advice Notes](#) 6 : Planning for Sustainable Rural Communities 2010

## **Summary of Consultation Responses**

**Cynwyl Elfed Community Council** – Support the application.

**Local Member** – No response received to date.

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

## **Summary of Public Representations**

The application was the subject of notification by way of a site notice. No comments were received as a result.

## **Appraisal**

The proposal is located on a well-established farm and given the information submitted is considered to be a justified form of agricultural development in the countryside. The proposed extension is sited within the existing complex and reflects the existing building in terms of its scale height and width.

Given that the extension would also be sat within the excavated area with surrounding ground levels at a higher level, views of the extended building would be minimal with only the roofline being visible above the adjoining upper ground level.

The proposal is not within close proximity to residential dwellings other than the farmhouse itself.

## **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 WCFG Act). The decision takes into account the ways of working set out at section 5 of the WCFG 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 WCFG Act.

## Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposed development is a justified form of agricultural development in the countryside, by reason of its siting within the existing complex of buildings and overall scale the proposal would not have an unacceptable impact upon the character and appearance of the area.

### 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:
    - 1:2500 scale Location Plan
    - 1:500 scale Block Plan
    - 1:100 scale Existing/Proposed South Elevation
    - 1:100 scale Proposed North Elevation
    - 1:100 scale Proposed West Elevation
    - 1:100 scale Proposed East Elevation
    - 1:100 scale Cross Section
    - 1:100 scale Existing/Proposed Longitudinal Section
- Received 15 November 2019

## 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.

## Notes

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

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

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

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

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