

Document Pack



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TUESDAY, 7 JANUARY 2020

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN AT 11.30 AM ON TUESDAY, 14TH JANUARY, 2020** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE



PLEASE RECYCLE

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Ref:	AD016-001

PLANNING COMMITTEE

20 MEMBERS

PLAID CYMRU GROUP - 10 MEMBERS

- | | | |
|-----|--------------------------------------|--|
| 1. | Councillor Mansel Charles | Member of Llanegwad Community Council |
| 2. | Councillor Tyssul Evans | Member of Llangyndeyrn Community Council |
| 3. | Councillor Jeanette Gilasbey | Member of Kidwelly Town Council |
| 4. | Councillor Ken Howell | |
| 5. | Councillor Carys Jones | |
| 6. | Councillor Alun Lenny (Chair) | Member of Carmarthen Town Council |
| 7. | Councillor Jean Lewis | |
| 8. | Councillor Dorian Phillips | |
| 9. | Councillor Gareth Thomas | Member of Llenedi Community Council |
| 10. | Councillor Eirwyn Williams | |

LABOUR GROUP - 4 MEMBERS

- | | | |
|----|---------------------------------|--|
| 1. | Councillor Penny Edwards | |
| 2. | Councillor John James | Member of Pembrey & Burry Port Community Council |
| 3. | Councillor Dot Jones | Member of Llannon Community Council |
| 4. | Councillor Kevin Madge | Member of Cwmamman Town Council |

INDEPENDENT GROUP - 4 MEMBERS

- | | | |
|----|--|--------------------------------------|
| 1. | Councillor Sue Allen | Member of Whitland Town Council |
| 2. | Councillor Ieuan Davies | |
| 3. | Councillor Joseph Davies | |
| 4. | Councillor Irfon Jones (Vice-Chair) | Member of Bronwydd Community Council |

NEW INDEPENDENT GROUP – 2 MEMBERS

1. Vacancy
2. Vacancy

NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THIS COMMITTEE

Local Members invited to the meeting – Agenda item 3:
Councillors J.S. Phillips, J. Prosser and B.A.L. Roberts

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF PERSONAL INTERESTS
3. TO CONSIDER THE HEAD OF PLANNING'S REPORT ON THE FOLLOWING PLANNING APPLICATION [WHICH HAD BEEN THE SUBJECT OF EARLIER SITE VISIT BY THE COMMITTEE] AND TO DETERMINE THE APPLICATION:
 - 3.1 S/38285 - CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT OF UP TO 210 UNITS WITH ASSOCIATED LANDSCAPING AND INFRASTRUCTURE WORKS AT LAND AT, NORTH DOCK, SEASIDE, LLANELLI, SA15 2LY. 5 - 30
4. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS 31 - 52
5. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS 53 - 84
6. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS 85 - 148
7. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 12TH DECEMBER 2019. 149 - 152

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Application No	S/38285
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Application Type	Outline
Proposal & Location	CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT OF UP TO 210 UNITS WITH ASSOCIATED LANDSCAPING AND INFRASTRUCTURE WORKS AT LAND AT, NORTH DOCK, SEASIDE, LLANELLI, SA15 2LY

Applicant(s)	HEAD OF REGENERATION AND POLICY-CCC-J JONES, COUNTY HALL, CARMARTHEN, CA31 1JP
Agent	ASBRI PLANNING - MR RICHARD BOWEN, SUITE D, 1ST FLOOR, 220 HIGH STREET, SWANSEA, SA1 1NW
Case Officer	Robert Davies
Ward	Glan Y Mor
Date of validation	11/01/2019

Reason for Committee

This application is being reported to the Planning Committee

- as the County Council has a significant financial interest in the application.

Site

The application site consists of a relatively level, 6.6ha previously developed site located to the north western corner of North Dock in Llanelli. The site is located to the immediate north of the existing Pentre Doc Y Gogledd housing development and to the west of some existing industrial/commercial units located along the northern boundary of North Dock. The Millennium Coastal Park abuts the western boundary of the application site, whilst the main railway defines the northern boundary of the site.

The vacant parcel of land which forms the application site is covered mainly by overgrown vegetation, with some hardstanding in places. The north eastern part of the site previously accommodated the former Pontrillas Factory which was recently demolished under a demolition notification. The site is contiguous with the access road that runs around the whole perimeter of North Dock known as Traeth Ffordd. The site can currently be accessed via a few different access points along Traeth Ffordd.

The perimeter of the site is secured by post and wire fencing along the north, east and west, and wooden fencing securing the boundary adjoining the Millennium Quay residential development to the south.

As aforementioned, the Millennium Coastal Path is located to the west of the site, directly adjacent to the site's boundary. A footpath link currently runs through the centre of the site between the former factory and the southern part of the site. A small number of trees run adjacent to this footpath, along with an electricity sub station (proposed to be removed as part of the development) and a pumping station to the north (to be retained).

In terms of historic context, North Dock was a former industrial dock, built between 1897 and 1902, and was used mainly for exporting coal and tin plate from South Wales. It was an important feature in Llanelli's industrial past, forming part of the extensive network of docks, canals and tramways that existed up until their decline in the 1970s. Part of North Dock's history is still evident today in the number of listed buildings along the eastern side of the Dock, including:

- Engine House & Accumulator Tower - Grade II
- Carmarthenshire Dock tramroad bridge - Grade II
- Carmarthenshire Dock West Quay - Grade II
- Carmarthenshire Dock East Quay - Grade II
- Old Castle Motte - Scheduled Ancient Monument (Ref: CM323)

Today North Dock forms part of the South Llanelli Strategic Zone as referred to in the Adopted Local Development Plan and supporting Supplementary Planning Guidance with identified aspiration for mixed use development.

Proposal

The application seeks outline planning permission for the residential development of up to 210 units with associated landscaping and infrastructure works with all matters reserved for future consideration.

In addition to the site location plan which defines the extent of the site, the application was also accompanied by the following indicative drawings:-

- Constraints and Opportunities Plan
- Concept Masterplan
- Parameter Plan

The Constraints and Opportunities Plan has identified existing access points, key frontages and vistas, and existing constraints such as infrastructure and services. In turn this plan has informed the indicative masterplan.

The indicative masterplan indicates that the proposed residential development will be accessed via a central vehicular access point off Traeth Ffordd. A hierarchy of streets are proposed within the development with use made of different surfacing materials depending upon the nature of the street. Permeability is a key consideration with a number of pedestrian accesses shown through the development linking North Dock/Traeth Ffordd with the MCP. Provision is made within the north eastern corner of the site for an area of public open space. The built form shown on the indicative masterplan is designed to

address key frontages with natural surveillance maximised, whilst landscaping is proposed to re-inforce the northern boundary with the railway line.

The parameter plan sets the scale parameters and shows a mixture of 2 and 2.5 storey detached, semi-detached and terraced dwellings and 3 storey flats. The maximum height indicated is 12 metres.

The outline application was originally accompanied by the following raft of supporting information:-

- Design and Access Statement
- Pre Application Consultation Report
- Air Quality Assessment Report
- Arboricultural Report
- Ecological Assessment
- Engineering Assessment
- Flood Consequences Assessment
- Historic Desk Based Assessment
- Mining Risk Assessment Report
- Noise and Vibration Assessment
- Phase 1 Desk Study Report
- Sandy Roundabout Capacity Analysis
- Transport Assessment
- UXO Desk Study
- Drainage Strategy and Water Quality Statement

The following reports were subsequently submitted during the course of the planning application process:-

- Japanese Knotweed Eradication Scheme Report
- Reptile and Bird Survey
- Brownfield Habitat Mitigation Strategy
- Habitat Regulations Screening Report

Planning Site History

S/36027	Demolition of main warehouse building and office section, and sundry other smaller buildings Demolition notification granted	07/11/2017
S/28059	Variation of condition no 3 of S/18032 to extend the time period for the submission of reserved matters and the commencement of development Withdrawn	15/11/2013
S/25299	Temporary 3 year planning permission for change of use to use land for boat storage. No construction apart from boundary fencing. There will be temporary storage sheds in the form of shipping containers Full granted	13/10/2011

S/18032	The redevelopment of land to create a mixed use urban development comprising: A range of new homes including apartments and houses (use class c3); a hotel (use class c1); offices (use class b1); commercial uses including small scale retail/local shops and commercial leisure facilities including restaurant, bars, cafes and licensed premises (use classes a1, a2 and a3); a network of open spaces including two new public plazas and a public forum, a boardwalk, footpaths, and areas of informal recreation; new internal roads, accesses and public car park; other ancillary uses and activities; and requiring, site clearance, treatment and preparation, including demolition of existing buildings Outline granted 15/04/2008 s106 by planning condition	
S/02219	Change of use to centre for the creative arts Withdrawn	10/02/2005
LL/05085	Office and storage for land train Full granted	03/11/2003
LL/01107	Mixed use development comprising residential, commercial and leisure around the impounded dock Outline granted	06/06/2002
S/02744	Car boot sales Full granted	07/12/2000
S/00092	Millennium coastal park iii the development of a landscaped parkland, part visitor centre and accommodation, footpaths, cycleways, habitat creation, car parking and associated reclamation and infrastructure works including land bridge over railway County permission under regulation 3	25/11/1996
D5/16773	The construction of one barn to dry wood and the extension of two others for metal fabrication and storage Full granted	02/02/1995
D5/16733	Building of two wood drying barns plus the extension of an existing building to accommodate increased sawing facilities Full granted	12/01/1995
D5/13977	To extend one existing building and build a drying barn Full granted	31/03/1994
D5/13290	Installation of a wood burning stove and associated ducting	

	Granted	12/11/1990
D5/5069	Replace chimney with 60ft chimney Granted	17/07/1980

Planning Policy

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

SP1 Sustainable Places and Spaces
 SP2 Climate Change
 SP3 Sustainable Distribution – Settlement Framework
 SP4 Strategic Site
 SP6 Affordable Housing
 SP9 Transportation
 SP13 Protection and Enhancement of the Built and Historic Environment
 SP14 Protection and Enhancement of the Natural Environment
 SP17 Infrastructure
 SP18 The Welsh Language
 GP1 Sustainability and High Quality Design
 GP2 Development Limits
 GP3 Planning Obligations
 GP4 Infrastructure and New Development
 H2 Housing within Development Limits
 AH1 Affordable Housing
 EMP5 Mixed Use Sites
 TR2 Location of Development – Transport Considerations
 TR3 Highways in Developments – Design Considerations
 EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
 EQ4 Biodiversity
 EP1 Water Quality and Resources
 EP2 Pollution
 EP3 Sustainable Drainage
 EP5 Coastal Development
 REC2 Open Space Provision and New Developments

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Llanelli Town Council – Object on the following grounds:-

- Increased vehicular traffic and congestion in the Seaside and North Dock area as a result of this development and others including the Wellness Village. There is only one way in and out of the site. There are already issues at Sandy Road.
- The Transport Assessment does not provide accurate anticipated trip generation data.
- Air Quality issues will be exacerbated.

Local Members – The application site is primarily within the Glanymor ward however as the north western section encroaches slightly into the Hengoed ward, the members for both wards have been consulted.

Cllr L Roberts has raised concern over the increased traffic generated by the proposed development, which will utilise one access point directly opposite a park.

Cllr J Prosser has not responded to date.

Cllr J S Phillips has not responded to date.

Cllr P Edwards who is a Member of the Planning Committee has not responded to date.

Dyfed Archaeological Trust – No objection.

Dwr Cymru/Welsh Water – No objection subject to conditions.

National Grid – No response received to date.

Natural Resources Wales – No objection subject to conditions.

Dyfed Powys Police (Secure by Design) - No response received to date.

Coal Authority – No objection.

Head of Public Protection – No objection subject to conditions.

Head of Education – No objection. Has confirmed that a financial contribution of £388,000 is required towards improving local education facilities.

Head of Transport - No objection subject to conditions and a financial contribution of £35,000 towards highway improvements at the Sandy Roundabout and Active Travel improvements between the Millennium Coastal Park, the site and Llanelli Railway Station.

Head of Housing – No objection subject to the provision of affordable housing within the scheme. Has confirmed that the ward of Glanymor is an area of high housing need.

Land Drainage – No objection.

Parks (Open Space) - No objection subject to conditions

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

Summary of Public Representations

The application was advertised by the posting of six site notices in the vicinity of the application and site and via a press notice.. To date, one letter of representation has been received raising the following concerns:-

- There is an existing public footpath from the road to the MCP by the Aquatreat depot near the railway line. This footpath seems to be removed by the development and the right of way will also be removed.
- There is no provision for people wanting to access the MCP and no provision for visitors to park their cars.
- The existing public (pay & display) parking at North Dock visitor centre and at the Sandy Water Park is neither adequate or convenient. There is a loss of parking capacity which in turn discourages the public from accessing the MCP.
- At the very least the existing right of way needs to be retained and parking areas for visitors need to be incorporated into the planning requirements.

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

Appraisal

As aforementioned, the application site is located in North Dock which forms part of the South Llanelli Strategic Zone as referred to in the Adopted LDP and Adopted SPG which provides a Development Brief to guide the consideration and determination of development proposals in the South Llanelli Strategic Zone. The relevant North Dock site reference is GA2/MU7 (LDP Policy EMP5 – Mixed Use Allocations). A notional / indicative allowance of 335 residential units is provided LDP Policy H1 (Housing Allocations), with this figure reflective of the previous outline planning permission granted for North Dock under S/18032.

The LPA has received letters of concern and objection from Llanelli Town Council, one local member and one member of the public in relation to the proposed development. These concerns will be addressed in the following appraisal under the relevant topic headings.

Highways

The reasons for concern and objection raised by the Town Council, one of the local members and one member of the public primarily relate to highway related issues, namely vehicular traffic generation and congestion, lack of car parking provision for visitors to the MCP and loss of pedestrian permeability through the application site and towards the MCP.

The planning application itself was accompanied by a detailed Transport Assessment which has been scrutinised by the Authority's Head of Transport.

Traeth Ffordd is the road which provides access to the existing and proposed developments in the North Dock area. It is a single carriageway road with an approximate width of 6 metres, with 1.8m-2m footways provided on both sides of the road in most places. Traeth Ffordd has street lighting throughout and a speed limit of 30mph, with road humps in situ to minimise speed. The speed humps also act as raised crossing points and are visually different to the road in terms of colour and materials. The B4304 is located to the east of the site and runs from north to south, and provides access to the town centre to the north via Cambrian Street and Queen Victoria Road. The B4304 costal road continues to the south towards Machynys, Morfa and Trostre.

In terms of trip generation and traffic impact the TA sets out the traffic forecasts for the development that have been derived using the TRICS database. In terms of vehicular trips

the TA states that the proposed development will result in an extra 97 two way trips in the AM peak and 99 two way trips in the PM peak.

The traffic impact of the development was assessed for both the AM and PM peak periods for a 2024 future year. The impacts upon the Queen Victoria Road, Traeth Ffordd and AMG Resources access road junctions and surrounding road network was considered to be negligible and that capacity exists to accommodate the traffic generated by the proposed development.

The Authority's Highways section also requested further analysis in terms of the impact of the development upon the Sandy Road roundabout which is currently congested at peak times. This was subsequently undertaken and submitted as a supplementary document. This indicated that the Sandy Roundabout junction is demonstrated to operate at, or near, capacity in the future year of 2023.

For the current situation the TA opines that the Sandy Roundabout junction would be negligibly impacted by the proposed development at North Dock. This is to be expected as there are only 43 trips added to the roundabout in the AM Peak and 34 trips added to the roundabout in the PM Peak. The A484 Sandy Road would have 30 trips added to the approach arm in the AM Peak. In the PM Peak, the B4304 Traeth Ffordd approach would have 22 trips added. However, it is considered that, as the junction is already exceeding capacity in the PM Peak, the relative impact of the North Dock development would be exacerbated.

As Members may recall from considering the Wellness Village application some months ago, the Authority's Highways division is continuing to explore major scheme solutions for Sandy Roundabout and have a number of conceptual schemes to develop further. CCC is also progressing with works to improve operations of the Iscoed traffic signals.

Following the proposed improvement works at Sandy Roundabout, which need to be completed by Highways to accommodate the traffic from phases 1 and 2 of the Wellness Village development, it has been demonstrated that the proposed development at North Dock would have a negligible impact on the junction's operation. In this respect the Authority's Head of Highways accepts the conclusions of the TA and supplementary document subject to an agreed contribution of £10,000 towards future improvements by Highways at the Sandy Road roundabout junction. Members will recall that the Wellness Village contributed £40,000 towards such improvements also.

In terms of sustainability and sustainable modes of travel, the TA opines that the site is located within an area that is conducive to active travel. The town centre is within walking distance to the north whilst there are a number of traffic free national cycle routes immediately adjacent or close to the site. In terms of active travel a financial contribution of £25,000 has been requested by Highways and agreed towards Active Travel improvements between the Millennium Coastal Park, the site and Llanelli Railway Station. A condition will also be imposed requiring a travel plan to encourage sustainable modes of travel.

In terms of pedestrian permeability, whilst there is an existing footway link through the site running in an east/west direction, this is not a formal Public Right of Way. Notwithstanding this however, the indicative masterplan identifies a number of potential pedestrian accesses through the site. This will be need to be ensured and secured as part of any subsequent reserved matters submission however the LPA considers that the proposed

development represents an opportunity to enhance pedestrian permeability and linkages between North Dock and the MCP in this respect. There are no formal parking areas within the application site which will be lost as a result of the proposed development.

Finally in terms of public transport the nearest bus stop is approximately 500m to the south east at Cambrian Street, whilst the main railway station is approximately 1km to the south east. Both are considered to be within walking distance.

Ecology

The application was originally accompanied by an Ecological Assessment whilst further reports in the form of a Reptile and Bird Survey, Brownfield Habitat Mitigation Strategy, Habitat Regulations Screening Report and Japanese Knotweed Eradication Scheme were submitted during the course of the planning application process as a result of requests by the Authority's Planning Ecologist. The requirement to undertake such surveys was also as a result of recommendations made in the original Ecological Report.

The original Ecological Report submitted with the application concluded that it was unnecessary to carry out further ecological surveys prior to the demolition of the former factory building. As aforementioned this has now been demolished under the prior notification procedure subject to the implementation of certain Bat mitigation measures. The report did however recommend that further survey work was needed prior to general site clearance works, and these reports were subsequently submitted during the course of the planning application process.

In terms of the Bird survey the report states that several bird species nest or are likely to nest within the site and the development will result in the loss of these habitats. However through future gardens, enhanced site landscaping and the provision of nesting features in new buildings these measures are likely to provide potential replacement nesting sites for some species. Proposed off-site mitigation will further reduce the impact and, provided that mitigation sites are prepared by enhancing existing and creating new habitats and their future management is assured.

With regards to reptiles and terrestrial-phase amphibians within the site, the 2019 survey identified a small population of Common Lizard and a single Common Toad at the site. It is recommended that the removal of habitat with potential to harbour reptiles is made conditional upon the provision of a watching-brief and supervision by the site ecologist. The Assessment acknowledges that the development can progress with suitable mitigation measures which can be secured via the imposition of suitable planning conditions.

The Japanese Knotweed Eradication scheme submitted indicates that CCC has been treating the site in this respect since 2016 and continues to do so. The treatment for the Japanese Knotweed involves a foliar spraying of Glyphosate based herbicide late in the growing season for best efficiency. The treatment is carried out late in the season as the plants have had time to grow and increase their surface area giving a greater coverage for any herbicide that is used.

The Authority's Planning Ecologist identified that the application site has been recorded partially as Open Mosaic Habitats on previously developed land. The ecological report originally submitted stated that the Machynys Eco Park proposal represents mitigation for this habitat along with other developments, however this has yet to be progressed and is subject to a separate long standing pending planning application.

As the LPA has a duty to maintain and enhance Section 7 habitats under the Environment Act 2016, the applicant was requested to provide an alternative Brownfield Habitat Mitigation Strategy acknowledging that not all of the application site qualified as Open Mosaic Habitats on Previously Developed Land, a habitat of principal importance for conservation of biological diversity under Section 7.

The Mitigation Strategy subsequently received proposes to use a suitable section of land at Morfa-Berwick as compensation for the open mosaic habitat lost at the application site. The suitable area available at Morfa Berwick equates to approximately 2.5ha in area and is more than sufficient to compensate for such an area lost at North Dock. The Morfa Berwick site referred to is in CCC ownership and was transferred to the Authority's Conservation Section to maintain as brownfield habitat as part of the Burry Port harbour developments. A significant financial contribution was also made to its future management. There is sufficient land currently remaining there to also compensate for this development. There may also be scope to translocate habitats and kidney vetch subject to confirmation that this is in fact feasible.

The above reports along with the HRA screening report are currently being reviewed by the Authority's Planning Ecologist. The latter will in due course inform an Appropriate Assessment which will be forwarded on to Natural Resources Wales for sign off.

Natural Resources Wales has raised no objection towards the proposed development subject to conditions and the requirement to undertake an Appropriate Assessment. NRW has recommended the imposition of a number of conditions to prevent pollution of the environment and adjacent protected sites and to ensure that a suitable lighting scheme is submitted which demonstrates how suitable close by Otter habitat will not be adversely affected by the proposed development. In this respect Otters are a qualifying feature of the SAC.

Pollution – (Noise, Air Quality and Contaminated Land)

The Town Council has raised concern that the proposed development will exacerbate air quality issues in the area. In relation to this the planning application was accompanied by an Air Quality Assessment Report which has been scrutinised by the Authority's Public Health division.

The Air Quality Assessment outlines that the proposed development of up to 210 residential units may generate an additional 295 light vehicle movements per day on local roads. The methodology used in this report is considered appropriate and takes into account that the site is located less than 800m from the boundary of the Llanelli Air Quality Management Area.

The Authority's Public Health section has confirmed that the proposed development will not have a significant adverse impact on air quality, as regulated under the Environment Act 1995 and in relation to the requirements of Local Air Quality Management.

However, as the development will generate a significant amount of additional vehicle movements and in accordance with the requirements of latest Welsh Government policy to improve air quality, as part of the development proposals, it is suggested that, as a minimum, consideration be given to installation of infrastructure to the dwellings that will allow the provision of electric vehicle charging points in the future.

A condition will also be imposed on any planning permission granted for the submission of a scheme to mitigate dust.

A Noise and Vibration Assessment was also submitted with the application to consider the implications of the proposed development in this respect. This report has been scrutinised by the Authority's Public Health division who have confirmed that the proposed development will meet the criteria of TAN 11 and BS8233:2014 for daytime and night time inside levels with mitigation measures recommended.

The development will incorporate design measures that secure good internal and/or outdoor acoustic conditions to attenuate any noise from the commercial/industrial units located to the north east of the development site. The proposed residential end use is considered to be a compatible use and is in accordance with the aspirations for the site as identified within the Adopted LDP.

The Environmental Health Section has raised no objection to the proposed development provided suitably worded conditions are imposed on any planning permission granted.

In terms of contaminated land and acknowledging the previously developed nature of the application site the application was accompanied by a Phase 1 Desk Study report which has been scrutinised by both NRW from an environmental protection perspective and the Authority's Public Health division in terms of human health.

Due to the previous industrial land uses which may have caused contamination, and proximity of the development to the Burry Inlet and Loughor Estuary Site of Special Scientific Interest (SSSI), Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet Special Protection Area (SPA) and Ramsar site, NRW raised some initial concerns. However they note that the Phase 1 report recommends further investigation which will result in the submission of further supplementary information. In this respect NRW are satisfied that any issues in terms of contamination from an environmental protection perspective can be addressed through the imposition of conditions on any planning permission granted. These conditions include the standard approach to dealing with contaminated land condition which requires the submission of a Preliminary Risk Assessment, which in turn will inform an options appraisal and remediation strategy if needed. NRW has also requested conditions in relation to piling and a method statement detailing all necessary pollution prevention measures.

In a similar manner and to ensure that the proposed development fully considers the implications of the former land uses upon the proposed residential end use from a human health perspective, the Authority's Public Health division also recommend the imposition of the standard contaminated land condition.

Whilst the application was accompanied by a Mining Risk Assessment Report the Coal Authority has confirmed that the proposed development does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area, there is no requirement for such an assessment or for the Coal Authority to be consulted.

Drainage – Surface Water and Foul

The planning application was accompanied by a detailed drainage strategy and water quality statement that deals with existing/previous surface water and foul flows and the measures proposed.

In terms of surface water the previous buildings that occupied the site and hardstanding within the development boundary positively drain to the estuary via a gravity sewer. The proposed surface water drainage strategy is to discharge at an attenuated rate via a 600mm diameter surface water sewer which outfalls into the Liedi river.

In terms of foul water the foul drainage associated with the previous buildings that occupied the site, including those recently demolished, discharged to the Crawley pumping station (owned by DCWW). This pumping station also serves the foul and surface water discharge from the existing 3no. commercial units to the north-east of the development site.

With regards to the proposed method for dealing with foul drainage, a connection to the main public sewerage system is proposed. DCWW has confirmed that there is sufficient capacity with the local sewer network and the existing pumping station to cater for the proposed development however the connection point will need to be upsized from 150mm as existing to 225mm. In order to ensure a positive gravity connection to the existing drainage network the proposed levels of the development may need to be slightly elevated. All on-site sewerage systems will be constructed to adoptable standards.

In terms of water quality and the requirements of the CBEEMS Memorandum of Understanding, the drainage strategy identifies that an opportunity exists to remove surface water that enters the immediate foul pumping station from the 2no. commercial units to the north east of the application site where the existing yard and roof runoff discharge into the combined system. The applicant is currently liaising with DCWW with regard to a Section 185 Agreement to divert the existing drainage away from the combined sewer in this respect.

The total surface water removal area is calculated as 3440 m² (0.344 ha). Based upon the methodology set out in the MoU this translates to the removal 10.33 l/s or some 397 units with a x2 betterment. The foul discharge rate, calculated in accordance with the MoU for the proposed is 2.73 l/s. Therefore the LPA considers that the proposal fully complies with the requirements of the MOU.

The drainage strategy referred to has been assessed by NRW, DCWW and the Authority's own Land Drainage team, all of whom raise no objection to the strategy proposed.

Flooding

Whilst the application site is within Flood Zone A as outlined in the Development Advice Maps referred to under TAN15, which is defined as an area to be at little or no risk of flooding, NRW during the course of the pre-application consultation exercise advised that due to the location of the proposed development, it would be beneficial for a Flood Consequence Assessment to be produced to address any tidal flooding concerns.

Although the site is currently classed as Flood Zone A, the FCA correctly identifies that there is a risk of tidal flooding in the future, once an allowance for sea level rise due to

climate change is accounted for. The estimated flood levels provided in Table 2-1 of the FCA are considered acceptable by NRW. The FCA suggests that the site could be raised to mitigate against future sea level rise, which is feasible.

It also identifies that vehicular access to the site could be compromised in a future climate change scenario, but safe pedestrian access would remain via an alternative route north over the railway line. NRW advise that access arrangements are a matter to be discussed and agreed with the LPA.

In light of the FCA submitted NRW has raised no objection towards the proposed development on flood risk grounds.

Heritage

The application was accompanied by a Heritage Desk Based Assessment. The site itself does not contain any designated or protected assets however there are a number of listed buildings in close proximity. The impact upon the setting of such assets will need to be considered as part of any subsequent detailed planning application. The Authority's Built Heritage Officer has been consulted on the application but has not responded with any concerns.

In terms of archaeology associated with the previous historic industrial past of North Dock in general, Dyfed Archaeological Trust has confirmed that the proposed development is to be located within an area of archaeological and historical significance and potential. However, DAT note that this assessment covered a larger area, extending to the east to encompass the North Dock, to the boundary for the current application.

The area of proposed development included within the current application is mainly reclaimed ground of up to 7m depth, comprising re-worked natural materials, industrial waste and remnants of previous buildings (geotechnical report prepared by Earth Science Partnership, 2001). Here, archaeological potential is considered to be significantly lower according to DAT.

In light of the above DAT recommend that no further action is required in respect to the historic environment within this specific planning application.

Welsh Language

In terms of the Welsh language and culture Paragraph 3.26 of Planning Policy Wales states that planning authorities must consider the likely effects of their development plans on the use of the Welsh language as part of the Sustainability Appraisal. Planning authorities should seek to ensure a broad distribution and phasing of development that takes into account the ability of the area or community to accommodate development without adversely impacting use of the Welsh language.

Paragraph 2.1.5 of TAN20 re-inforces this position by stating that when producing LDPs it is possible to assess the potential cumulative effects of development on the Welsh language across the plan area. This provides an opportunity to consider effects on local communities and the wider plan area together. Furthermore, one of the key benefits of a plan-led system is to give certainty and confidence to developers and to communities; the best way of doing this is to consider the use of the Welsh language during the preparation of LDPs.

This plan led approach is further emphasised in the following paragraph of TAN20:-

3.1.3 Planning applications should not routinely be subject to Welsh language impact assessment, as this would duplicate the SA and LDP site selection processes. Provided that the SA has given due consideration to the Welsh Language, an impact assessment at application stage would not be based on any further information than that which has been presented during the plan preparation stage.

In this respect the application site is a long standing allocation, being firstly allocated in the former Adopted Unitary Development Plan, 2006, and carried forward as an allocation in the current Adopted Local Development Plan, 2014. The LDP was subject to a Sustainability Appraisal which addressed the Welsh language. As such there is no in principle objection to developing the site for housing in this respect.

Visual amenity and character of the area

As aforementioned in this report, the application site forms part of a mixed use allocation in the Adopted LDP which makes indicative provision for 335 residential units. Therefore the proposed residential development is considered to be in accordance with the aspirations of the development plan, and will deliver housing on a previously developed site within the defined settlement limits of Llanelli.

The indicative masterplan and scale parameter information submitted has served to show how the site could possibly be developed in an acceptable manner to accommodate up to 210 residential units. This is purely indicative at this stage and detailed consideration to matters of scale and design to ensure that any subsequent development is acceptable within its context will be given at any subsequent reserved matters stage. The scale parameters which show a maximum height of three storeys is considered acceptable.

Community Benefits

The applicant has agreed to the following:

- 20% on site affordable housing contribution to be secured via condition
- On site public open space/play area to be secured via condition
- Education contribution of £388,000. This contribution has been calculated on the maximum number of 210 units being delivered. This will need be secured either via an up-front payment prior to the release of any outline planning permission or via the sale/contractual agreement.

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

Further to the above, it is apparent that the principle of a suitably designed housing led development on this site is reflective of, and in accordance with planning policy. Development proposals that are potential contributors towards achieving the LDP's strategic objectives, as well as facilitating the delivery of the overall South Llanelli Strategic Zone, are duly welcomed in this regard.

In relation to the reduction in the number of residential units proposed from that allocated in the LDP, the LPA is of the opinion that the allocation figure in the LDP is notional / indicative. In this regard, the Plan does not seek to be over prescriptive and it accepted that there may have been a shift in the market demand (and potentially need) of housing types for this site since the original masterplan was put together as part of S/18032. It is noted that the design and access statement cites the original scheme as the basis for the design evolution.

Detailed consideration will need to be given at any subsequent reserved matters stage to matters in relation to size, scale and design to ensure that the development is in keeping with its immediate environs and maximises the opportunities that the site affords.

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

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval subject to the following conditions. Members are respectfully requested to resolve to approve the application subject to the completion of an Appropriate Assessment and subsequent sign off from NRW.

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 Development shall not commence until detailed plans of the access; appearance; landscaping; layout; and scale of each building stated in the application, have been submitted, and received the written approval of the Local Planning Authority.

- 3 The development shall be undertaken in strict accordance with the recommendations made in the Ecological Assessment, Reptile and Bird Survey and Brownfield Habitat Mitigation submitted with the planning application.
- 4 The development shall be undertaken in strict accordance with the Japanese Knotweed Eradication Scheme Report submitted with the planning application.
- 5 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the LPA:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

- 6 Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the LPA. 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 LPA.
- 7 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the LPA as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the LPA.

- 8 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
- 9 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
- 10 Prior to the importation of any soil a copy of the certificate of analysis, details of the source of the topsoil 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.
- 11 The development shall be undertaken in strict accordance with the recommendations made in the Drainage Strategy and Water Quality Statement received on the 2nd January, 2019 in terms of surface water drainage, foul water drainage and removal of surface water from the combined sewer network.
- 12 No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
- 13 Prior to the commencement of development a lighting plan shall be produced which demonstrates how lighting of suitable otter habitats will be avoided and will need to be submitted for the written approval of the Local Planning Authority. The lighting plan shall subsequently be implemented as agreed.
- 14 No development approved by this permission shall be commenced until a Method Statement detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the LPA. The measures shall subsequently be implemented as agreed.
- 15 The development shall be undertaken in strict accordance with the recommendations made in the Flood Consequences Assessment received on the 19th December, 2018.
- 16 Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.

- 17 The development shall be undertaken in strict accordance with the recommendations made in the Air Quality Assessment Report received on the 19th December, 2018.
- 18 During the demolition and construction phases, no works or demolition or construction shall take place other than within the hours of 07:30 – 18:00 Monday – Friday, Saturday 08:00 – 13:00 and not at all on Sundays, Bank or Public Holidays. As the proposed development is situated in a primarily residential area, it is recommended to minimise noise disturbance that the construction work be undertaken in compliance with BS: 5228 Noise Vibration and Control on Construction and Open Sites; and as specified in the Noise and Vibration Assessment Reference 6937/BL/pw February 2018.
- 19 The proposed residential dwellings shall be designed so as not to exceed the noise criteria based on current figures by BS8233 “good” conditions given below:
- Dwellings indoors in daytime: 35 dB LAeq,16 hours
 - Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAmax)

Such detail and appropriate consequential noise mitigation measures (as stipulated in the Noise and Vibration Assessment Reference: 6937/BL/pw February 2018) shall have been agreed, in writing, by the Local Planning Authority and shall be implemented prior to occupation of the building on the site and shall be maintained as agreed thereafter.

- 20 All plots in proximity to the industrial/commercial site located to the north of the proposed development shall have amenity areas facing away from the industrial site and therefore will be sheltered in terms of noise.
- 21 To limit the impact of any vibration from rail traffic, no dwelling shall be built no closer than 10 meters from the railway line.
- 22 Prior to use of any access road by vehicular traffic, visibility splay in compliance with Technical Advice Note 18 (Transport) page 44 shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway.
- 23 Prior to the commencement of development, the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the phase being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 24 Prior to the commencement of development the written approval of the Local Planning Authority is to be obtained for a scheme detailing the provision and frequency of use of facilities for washing down the wheels of vehicles prior to entering the public highway. Thereafter the scheme shall be implemented as agreed.

- 30 No development shall take place until a detailed Construction Traffic Management Plan is submitted for the written approval of the Local Planning Authority and thereafter shall be implemented in full and as agreed.
- 31 Before any development is commenced a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development, shall be submitted to and agreed in writing by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details at a timescale to be approved in writing by the Local Planning Authority.
- 32 Prior to the determination of any application(s) for reserved matters seeking approval of 'layout' or 'landscaping', no trees with trunk/stem diameter exceeding 100 mm, measured at a height of 1.5 metres above ground level, which are located within or on the site boundary shall be cut down, up-rooted, destroyed, topped, lopped or pruned without the prior written approval of the local planning authority. Following such approval all works are to be carried out in accordance with BS3998.
- 33 Any reserved matters application(s) in relation to this outline approval, shall include submission of a Landscape Constraint Plan (LCP) to approval by the local planning authority. The LCP shall define the following: -
- a) Stem location, canopy spread and root protection area (RPA) of all trees and groups of trees within or on the application boundary, and outside the boundary with a canopy spread which overhangs the boundary;
 - b) Outer extent of above ground growth or canopy spread; and RPA of all other landscape elements (hedgerows and continuous woodland/ scrub/ shrub areas) within or on the application boundary.

If the proposed development would result in potential impacts from: construction operations; changes in level; construction phase access; or installation of underground apparatus, within any RPAs defined within the LCP, the following shall also be submitted to approval: -

- i) Tree survey and Categorisation Report for all trees, groups of trees and other landscape elements subject to potential impacts within the RPAs.
- ii) Arboricultural Impact Assessment (AIA) which identifies the impacts of the proposed development on all trees, groups of trees and other landscape elements. The AIA shall clearly indicate which are to be retained; which are subject to potential impacts; and which are to be removed. The AIA shall provide appropriate mitigation proposals for all trees, groups of trees and other landscape elements which are to be removed.
- iii) Arboricultural Method Statement (AMS) which provides details, as necessary, of specific design solutions to enable effective retention of any trees, groups of trees and other landscape elements which are identified as subject to potential impacts within the AIA.
- iv) Tree Protection Plan (TPP) which provides details of all protective measures, operations and construction exclusion zones for all trees, groups of trees and other landscape elements to be retained;

All information shall be in compliance with the recommendations of BS5837.

- 29 All site operations shall be undertaken in compliance with the approved landscape constraint and protection information, as submitted to discharge condition 28.

Any construction operations and/or access within the defined construction exclusion zone(s) (CEZ) shall be limited to those undertaken in compliance with the recommendations of BS5837. CEZ(s) shall be fully implemented prior to the commencement of any works associated with the development; and thereafter maintained in entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

Any existing landscape elements, identified for protection, or part thereof, which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the existing landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the local planning authority, and thereafter likewise conditioned for a further period of five years.

- 30 Any reserved matters application(s) in relation to this outline approval, shall include an appropriate and comprehensive detailed Landscape Design Scheme (LDS), which shall be approved in writing by the local planning authority. The LDS shall be in compliance with: all ecological and biodiversity recommendations and proposals for the site; and relevant guidance as provided by the local planning authority.

- 31 The approved Landscape Design Scheme (LDS), as submitted to discharge condition 30 shall be fully implemented in the first available planting and seeding seasons following commencement of development.

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

- 32 Any reserved matters application(s) in relation to this outline approval, shall include an appropriate and comprehensive Landscape Maintenance and Management (LMM) information which shall be submitted to and approved in writing by the local planning authority. The information shall include the following:-

- i) Landscape Maintenance and Management Responsibility Plan which provides clear definition of LMM responsibility for all landscape areas within the planning application boundary specifically: -
- Areas subject to transfer to future private residential ownership and management responsibility in terms of private amenity space for the sole benefit of the future owner.
 - Areas of the site proposed for adoption by the local authority
 - Areas within the site boundary not included in the above.

- ii) Landscape Maintenance and Management Scheme (LMMS) for all landscape areas within the application boundary which are not subject to private ownership as defined above, or to adoption by the local authority. The LMMS shall include:
 - Plans, specifications and schedules to cover establishment and long term proposals for landscape maintenance and management.
 - Details of the management agent (body or organisation) responsible for implementation of the LMMS; and the legal and funding mechanism(s) with the identified management agent by which delivery of the LMMS will be secured.

All landscape maintenance and management operations shall be fully implemented as approved.

- 33 A scheme for the provision of open space to meet the needs of the development in accordance with Policy REC 2 of the Local Development Plan needs to be submitted and approved as part of any subsequent Reserved Matters submission. The scheme shall include a timetable for the provision to be made and details of the arrangements for its subsequent maintenance. The open space shall be provided in accordance with the approved details.
- 34 No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In order to ensure a satisfactory layout of the site and in the interest of visual amenities.

- 3 In the interests of biodiversity.
- 4 To eradicate an invasive species.
- 5 The controlled waters at this site are of high environmental sensitivity due to the proximity of the development to the Burry Inlet and Loughor Estuary Site of Special Scientific Interest (SSSI), Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet Special Protection Area (SPA) and Ramsar site and contamination is strongly suspected at the site due to the previous industrial land uses.
- 6 To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
- 7 To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
- 8 Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.
- 9 There is an increased potential for pollution of controlled waters from inappropriate methods of piling.
- 10 To protect human health.
- 11&12 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 13 For the protection of Otters, a European Protected Species and feature of the SAC.
- 14 For pollution prevention and the protection of the designated sites.
- 15 To safeguard against flooding.
- 16 To ensure that the amenity of local residents/businesses is adequately protected from dust during demolition/construction.
- 17-21 To preserve the amenity of the existing and future residents.
- 22-26 In the interest of highway safety.
- 27-29 To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.

- 30-32 To ensure that the development enhances the character and appearance of the site and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity: thus delivering the objectives of CLDP policies: - SP1 d) and i); GP1 a), f) and i); EQ5; and where appropriate EQ6.
- 33 To ensure that sufficient provision for open space is made within the scheme to accord with Policy REC2 of the LDP.
- 34 To provide an appropriate level of affordable housing in accordance with Policy AH1 of the LDP and TAN 2.

Reasons for granting planning permission

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP2 of the LDP in that the proposed development is resilient to the impact of climate change and accords with the provisions of TAN15.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP4 of the LDP in that the proposed development, in part will deliver the aspirations of a strategic site.
- It is considered that the proposal complies with Policy SP6 of the LDP in that provision is made for affordable housing within the scheme.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP13 of the LDP in that the proposed development respects, and will not adversely affect the built and historic environment or its setting.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.

- It is considered that the proposal complies with Policy SP18 of the LDP in that the interests of the Welsh language will be safeguarded and promoted.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the application site is within defined settlement limits.
- It is considered that the proposal complies with Policy GP3 of the LDP in that the application will be subject to a Planning Obligation to meet the requirements arising from the development.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.
- It is considered that the proposal complies with Policy H2 of the LDP in that it will deliver new housing within development limits.
- It is considered that the proposal complies with Policy AH1 of the LDP in that provision is made within the proposed scheme for affordable housing.
- It is considered that the proposal complies with Policy EMP5 of the LDP in that the proposed development will, in part, deliver the aspirations of a mixed use allocation.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ1 of the LDP in that the proposed development preserves the built and historic environment.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.

- It is considered that the proposal complies with Policy EP5 of the LDP in that the proposed development in this coastal location will not increase the risk of erosion, flooding or land instability.
- It is considered that the proposal complies with Policy REC2 of the LDP in that provision for open space will be made within the proposed development.

Note(s)

- 1 The applicant/developer should note that the following financial contributions are relevant to the development:-
 - £10,000 towards highway improvements at Sandy Road Roundabout
 - £25,000 towards Active Travel improvements
 - £388,000 towards improving local education facilities (based upon 210 eligible residential units being delivered)
- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 3 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.

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**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
Dwyrain/
Area East*



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 JANUARY 2020
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/39454
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Application Type	Full Planning
Proposal & Location	ALTERATIONS, REFURBISHMENTS AND EXTENSION, PLUS DEMOLITION OF REDUNDANT STRUCTURES AND BOUNDARY WALL. CHANGE OF USE OF PARTS OF BUILDING TO CLASS A1 (RETAIL) A3 (RESTAURANTS AND CAFE) B1 (BUSINESS) AND D2 (ASSEMBLY AND LEISURE, MAIN MARKET HALL TO HAVE USE MIXED USE (CLASSES A1, B1 AND D2) AT FORMER MARKET HALL, CARMARTHEN STREET, LLANDEILO, SA19 6AE

Applicant(s)	CCC - MR HYWEL HARRIES, BLOCK 3 , PARC MYRDDIN , RICHMOND TERRACE , SA31 1HQ
Agent	MR JULIAN MANSEL-THOMAS, PEMBROKE DESIGN LIMITED, 16 MEYRICK STREET, PEMBROKE DOCK, SA72 6UT
Case Officer	David Roberts
Ward	Llandeilo
Date of validation	12/09/2019

Reason for Committee

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

The Site

The application site is situated on the edge of the historic town centre of Llandeilo with Carmarthen Street to the south west, with New Road on the north-west boundary, North Bank to the south east and the rear garden and curtilages of properties along New Road to the north east. The site incorporates the former Provisions Market Building, a car park, a recycling centre and derelict land that formerly contained a Local Authority highways depot building and its ancillary yard and a small section of the garden at the rear of the Salutation Inn. The market building has rapidly fallen into a state disrepair and this decline has accelerated in recent years. Areas along the New Road and Carmarthen Street elevations are currently used as unregulated parking bays.

The former Provisions Market is a Grade II listed building which is listed for Group Value. The building is also located within the Llandeilo Conservation Area which was designated in 1971, as the area was considered of special architectural or historic interest, the

character or appearance of which it is desirable to preserve or enhance. This conservation area was enlarged in 1986.

The conservation area encompasses a large area and in terms of the buildings these date from the 18th to early 20th century. The former Provisions Market occupies the upper part of Carmarthen Street and this area is important historically as its development coincided with the expansion of the town beyond its medieval core in the mid to late 19th century and a number of the buildings in the immediate area largely retaining this character. The importance of this period has been acknowledged by virtue of the fact that the former National School, School House being listed in the group. The upper part of Carmarthen Street also provides the main focal part into the older part of lower Carmarthen Street which was described in the 1972 conservation area appraisal as 'one of the best parts of Llandeilo'.

The application site is located within the defined settlement development limits for the town of Llandeilo town as identified within Inset map T2 of the Carmarthenshire LDP and adjacent to the retail town centre, which is identified primarily as Rhosmaen Street, King Street, Carmarthen Street and New Road.

The building, which is in the ownership of Carmarthenshire County Council, has not been in permanent use for a number of years. The building was described as 'vulnerable' in 2007 following the buildings at risk survey. This was due to lack of routine maintenance.

The Proposal

The application seeks full planning permission and listed building consent including alterations and demolition and for the change of use from the current general industrial use (Class B2) to a mixed use, comprising the following elements:-

- Market Hall – it is proposed to revert the market hall back to its original function, as a commercial centre with a combination of retail , office and B1 Business units on the ground floor and the inclusion of a flexible space within the central area of the Market Hall as a community space and a venue for events and festivals (Use Class D2)
- New meeting/conference rooms
- New café/coffee shop area (Use Class A3).
- Lower ground floor, former slaughterhouse and outbuildings to rear courtyard to be developed as offices/business units (Use Class B1).
- Demolition of redundant structures and boundary walls
- Creation of parking, amenity/outdoor market and seating areas

In facilitating the above proposed mixed use, the works to the building will involve the following:

- Removal of existing flat roof and asbestos and glazed pitched roof/lantern with the insertion of a new flat roof (at lower level) behind parapet and new offices/meeting rooms at first floor (incorporating a glazed monitor/lantern with external viewing/breakout areas and balustrading)
- Demolition of internal partitions, columns, beams and decayed upper floor structures
- Demolition of redundant modern canopy/roof structures to rear courtyard

- Demolition of redundant brick toilet block, linking the Market Hall and former Slaughter house.
- New internal partitions, floors and stairs to form new lobbies, shared kitchen, toilets, reception area, ancillary spaces, including new passenger lift and conference/meeting room facilities.
- Alterations to lower ground floor, former slaughterhouse and rear outbuildings to create new office spaces, plant and refuse rooms and cabinet/ server room.
- New windows and doors where indicated
- General repairs to walls, existing doors/gates and slated/metal roofs
- New external level seating area to New Road elevation, with metal balustrade
- New bollards/paving outside Carmarthen Street elevation to create informal café seating area including dropping off bays
- Replaced/repared external surfacing to form new car park, attractive office mews courtyard and space for occasional temporary outdoor market stalls

As with the previous submissions, the refurbishment proposal for the Provisions Market seeks to protect the existing structure and preserve its character, appearance and fabric. However, unlike the previous proposal no end users had been identified.

Planning Site History

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

E/33249	Alterations, refurbishment and extension, plus demolition of redundant structures to facilitate a mixed use for the buildings Full Planning Permission Approved	13th March 2016
E/33250	Alterations, refurbishment and extension, plus demolition of redundant structures to facilitate a mixed use for the buildings Listed Building Consent Approved	13th March 2016
E/24436	Conversion and Refurbishment of Grade 2 listed Provisions Market proposed development of 13 new residential units including 4 no. Houses and 9 no. Flats Full Planning Permission Refused	29th March 2012
E/24435	Conversion and Refurbishment of Grade 2 Listed Provisions Market proposed development of 13 new residential units including 4 no. Houses and 9 no. Flats Listed Building Consent Refused	01st June 2012
TO/01477	Conversion to National Pottery Skills Centre Full Planning Permission	

	Approved	10th October 2012
TO/01478	Conversion to National Pottery Skills Centre Listed Building Consent Approved	10 th October 2012
E/02609	Recycling site Full Planning Permission Approved	12th April 2002
P6/18269/91	Security fencing Full Planning Permission Approved	29th October 1991
P6/18373/91	Change of use of part of garage to offices Full Planning Permission Approved	16th May 1991
634/93	Recycling site Full Planning Permission Approved	21st October 1993

Planning Policy

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

SP1 Sustainable Places and Spaces

SP2 Climate Change

SP3 Sustainable Distribution- Settlement Framework

SP8 Retail

SP9 Transportation

SP13 Protection and Enhancement of the Built and Historic Environment

SP15 Tourism and Visitor Economy

SP16 Community Facilities

GP1 Sustainability and High Quality Development

EMP3 Employment- Extensions and Intensification

RT5 Town Centres

TR2 Location of Development Transport Considerations

TR3 Highways in Developments- Design Considerations

EQ1 Protection of Buildings, Landscapes and Features of Historic Importance

EQ4 Biodiversity

EQ6 Special landscape Areas

[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.

Technical Advice Note 24 The Historic Environment

Legislative Framework

The Ancient Monuments and Archaeological Areas Act 1979, Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment (Wales) Act 2016 provide the legislative framework for the protection and sustainable management of the historic environment in Wales.

The site's conservation area status requires that consent should not be granted if a proposal adversely affects existing buildings, structures, open spaces, trees and other features which make a positive contribution to the character and appearance of the conservation area.

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 5.12 of TAN 24 states that applicants for Listed Building Consent are required to provide a Heritage Impact Statement which involves a process designed to ensure that the significance of the building is taken into account in the development and design of proposals for change.

Paragraph 5.13 of TAN 24 states that when determining a listed building consent application, the local planning authority should consider the following issues:

- The importance and grade of the building and its intrinsic architectural or historic interest.
- The physical features of the building which justify its listing and contribute to its significance, (for example its form and layout, materials, construction and detail) including any features of importance such as the interior, which may have come to light after the building's inclusion on the list.
- The contribution of curtilage and setting to the significance of the building, as well as its contribution to its local scene.
- The impact of the proposed works on the significance of the building.
- The extent to which the proposed works would bring substantial community benefits for example, by contributing to the area's economy or the enhancement of its local environment.

Summary of Consultation Responses

Head of Transport - Has recommended conditional approval and has also advised on the parking requirements for the scheme.

Head of Public Protection – Has recommended a condition be imposed for the control of dust.

Trunk Road Agency – No observations

Llandeilo Town Council – No observations received to date

Local Member – County Councillor Edward Thomas is supportive of the application

Natural Resources Wales - Has no objection to the application.

Dwr Cymru Welsh Water - Has recommended that conditions be imposed to protect the public sewerage network

Dyfed Archaeological Trust - Has advised that a condition be imposed stating that the development shall not begin until a building survey of the existing building has been carried out.

CADW - Consider that the proposed development will not have any impact on the setting of the registered Plas Dinefwr historic park and garden.

Royal Commission on the Ancient and Historic Monuments in Wales- Have requested that a condition be included that a Level 2 Survey of the Building and structures be undertaken and the record should be deposited in the The National Monuments Record of Wales, the public archive of the Royal Commission.

Neighbours/Public - The application has been advertised by means of Site Notices erected around the site and a press notice publicising the application; no letters of representation have been submitted 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 site notices erected around the site and publication in the local newspaper. No third party representations have been received to date.

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

Appraisal

The development is also subject to a separate application for Listed building Consent (Application Ref No. E/39445), and Members are reminded that as the authority are the applicants in this instance, and current owners of the building, the authority will also gain financially, as such, the LBC application is to be forwarded to Welsh Government for consideration under paragraph 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Authority acknowledges that in order that the market hall is given a long-term future, it is evident that the existing building fabric needs attention. Whilst the objective is 'to conserve as found', the evidence indicates that the partial repair would not be practical or

fully effective to bring the building back into beneficial use. The building has been vacant for a number of years and is showing significant signs of deterioration, occupying as it does a prominent position in the Conservation Area and has a considerable influence on the character of this part of the town. Furthermore, the prospect of a development opportunity providing investment could ensure that the building's long term future is secured. Whilst this factor alone does not justify the intervention, it serves to strengthen the argument that the works should take a long term view and not leave the building with future potential maintenance and repair issues.

Amenity

The layout of the proposed development is such that there will be no significant detriment caused to the living conditions of local residents as a result of loss of privacy. The residents at North Bank terrace will have a car parking area at the rear of their properties which will not harm their living conditions substantially and to the North there is a public house garden. Gardens for the residential properties along New Road are sufficiently distant to not result in any significant loss of privacy, however it is accepted that local residents may be impacted upon during the construction phase of the project, therefore it is proposed to impose suitable conditions in regard to noise, dust and hours of working during the construction phase if members are minded to grant the application in order to safeguard the living conditions of neighbouring residential properties.

Access/Parking

The proposal will involve the removal of the informal car parking adjacent to the Carmarthen Street and New Road elevations; these spaces are to be reclaimed as public realm and enable the Market Hall to be fully appreciated from both these approaches, unencumbered by the visual clutter created by the parked cars. The areas outside both these facades of the building will become informal seating and gathering areas for customers of the café, and market, defined by cast iron bollards, which will also serve to deter unwanted parking, and will lead the public towards the entrances to the Market Hall and café.

The existing car park to the south east of the Market Hall will be expanded and re-surfaced to provide on-site parking for staff and visitors (33 spaces, including disabled parking). The proposed car park will have a porous tarmac surface to minimise surface water run-off. The removal of the existing recycling compound to another site in Llandeilo by Carmarthenshire County Council allows the maximum possible number of parking spaces to be accommodated. The entrance to the car park will be landscaped with shrub planting and trees, as indicated on the Landscaping plan. Carmarthen Street is at its widest at the entrance to the car park and to the courtyard to the side of the Market Hall, allowing good manoeuvrability for vehicles at this point. The large existing doorway to the side (south east) elevation of the Market Hall will be used for the deliveries to the Market, temporary outdoor market stalls and equipment etc., for festivals and other events, with the dropping off laybys outside this side of the Market Hall easily able to accommodate the small delivery vans anticipated for those deliveries, the timing of which will be restricted to a timetable to be agreed by Carmarthenshire County Council.

The Head of Transport has advised that the proposal to alter, refurbish, extend and to demolish redundant structures at this location to provide the proposed development requires a significant number of parking spaces to be available to support the proposals. The Head of Transport has highlighted to the authority the levels of parking provision

recommended based on the CSS Wales' Parking Standards 2008, as applicable for this Zone 4 development:

GFA	Use	Hours of Opening	Operational Parking	Non-Operational Parking	Non-OP Nos.
189m2	A1 (Shops)	Unknown	2 commercial vehicles	1 space / 60 m2 (To include a minimum of one space for each employee who is a disabled motorist plus 6% of the total car park capacity for visiting disabled motorists)	4 spaces (tba) 1no.)
90m2	A3 (Café/Coffee)	Unknown	1 commercial vehicle	1 space / 3 non-res staff 1 space / 14 m2 dining area (To include a minimum of one space for each employee who is a disabled motorist plus 6% of the total car park capacity for visiting disabled motorists.)	tba 7 spaces (tba) (1no.)
1283m2	B1(A) Offices	08:00 – 18:00 (Mon-Fri)	Nil	1 space / 40 m2 (To include 5% of total car park capacity for disabled drivers).	33 spaces (2no.)
189m2	D2 Assembly & Leisure		1 commercial vehicle	1 space / 10 m2 (To include a minimum of one space for each employee who is a disabled motorist plus 6% of the total car park capacity for visiting disabled motorists.)	19 spaces (tba) (2no.)

It can be seen from the above table, that without consideration of shared resources and any allowance for sustainability, as may be applicable for each of the uses, total parking within curtilage is required, by the standards, for some 63no. cars plus an unknown figure to provide for the unknown number (tba) of non-resident staff to be employed at the development. Within the above provision there is a requirement to provide secured spaces for use of disabled visitors and staff. The figures provided on the application form have indicated a required provision for 6 no. disabled spaces with a further number for the unknown number of disabled staff to be employed at the site. The proposals seek to provide 2no. spaces in total for use of disabled drivers.

It is noted that the development proposes 47no. full-time employees and 2no. part-time employees, a full-time equivalence of 48no. employees.

Submitted drawing: P01A shows that the developer proposes to provide 33 no. spaces at the development with a further provision for commercial vehicle deliveries. Of the above, 2no spaces are proposed to be secured for the use of disabled drivers only. The other 31no. spaces appear to measure 4.8m x 2.4 whereas the standards for new developments is 4.8m x 2.6m.

It can be seen that the operational (commercial vehicle) parking provision seeks 2no. spaces for the shop use alone. Therefore, it is considered essential that the site operators control the arrival of commercial vehicles at the site so as not to obstruct the highway and the adjacent bus stop in particular.

Notwithstanding the above assessment the site in question currently benefits from an extant permission under application reference E/33249 which ultimately sought similar

proposals to this current application however there is more emphasis placed on office use for the current proposal whereas under the extant consent the development was mixed-use predominantly made up of A1 & A3 uses, which ultimately requires more car parking provision. A similar assessment report was submitted to the LPA for application E/33249 and highlighted some 175 no spaces. The current proposal may therefore be considered a least intensive use of the site as previously approved under E/33249.

At the time of the 2016 application (E/33249), a number of surveys were undertaken by the Highway Authority and they showed that during the daytime, prior to 18.00, there was a minimum number of 349 car parking spaces available within Llandeilo's car park areas. After 18.00 the surveys shows there to be a minimum number of 508 parking spaces available in the town's car park areas, of these 19 are reserved for disabled drivers use.

The Head of Transport has therefore offered no objection to this application subject to the imposition of a condition requiring the submission of a scheme of parking that provides for the required disabled parking requirements of the CSS Wales' Parking Standards 2008. In view of the above, it is considered that based on the combination of proposed and existing parking within the town, the reinstatement of the commercial operation at this site can be accommodated within the town of Llandeilo.

Ecology/Landscaping

An Ecological Assessment and Bat Survey prepared by Pryce Consultant Ecologists accompanied this application; the bat survey concluded that none of the buildings on the application site were currently being used by bats. The assessment indicated that swallows had nested in the main building and that a pair of house sparrows had possibly nested in the outbuilding which is proposed to be converted to offices.

It is considered that the development of the Market Hall and other buildings offered an opportunity to providing roosting sites for bats and nesting features for birds, particularly Swift, Swallow, House Sparrow and Starling.

The Authority's Planning Ecologist has advised that on the basis of the information provided it is considered unlikely that an EPS development licence is required in this instance but has recommended that a condition be included requiring that an Ecological Management and Maintenance Plan detailing all necessary ecological retentions, enhancements, creation, mitigation and ongoing management measures for the lifetime of the development be submitted.

Part of the proposals include the removal of a row birch trees along the eastern boundary of the site with the Salutation Inn to accommodate the proposed car park, both the Council's Trees Officer and Landscape Officer have been consulted and have raised no adverse comments as appropriate mitigation for the loss has been included within the revised landscaping proposals submitted for the project.

Listed Building/Conservation Area

The Authority's Conservation Officer has advised that Listed buildings within the County were surveyed in the late 2000's for Carmarthenshire Buildings at Risk register and the former Provisions Market was classed as 'vulnerable' in 2007. The building has not been in use since 2002 and it appears not to have been subject to an appropriate level of maintenance over a period of time and this is reflected in its deteriorating condition.

In light of the above, the Conservation Officer feels that it is sensible that a new use or uses is/are considered to ensure that the special architectural and historic interest of the building is safeguarded.

Since 2002 the building has been subject to a number applications with the most recent being in 2016 where listed building consent and planning permission were granted for a mix of uses of the building and unfortunately the applicant did not proceed with its purchase. The new scheme is to be County Council led and involves proposals to facilitate a mixed use of the building including business, café and community use.

In considering the proposals, Section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. In addition, Welsh Government and Carmarthenshire County Council's LDP policies relating to the historic built environment would apply.

With regards to the Conservation Area, Section 72 (2) of the Act places a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

The proposals predominantly follow the previous approved applications; with regards to demolition, this would involve modern ad-hoc structures which would have significant benefits of improving the character and setting of the listed building. The demolition and replacement of the roof is considered an alteration in view of case law and Welsh Government guidance.

It is the Conservation Officer's view that the proposed removal of the roof would involve the loss of an important element of the organic history of the building as it was constructed as part of the 1923 enlargement of the former Provisions Market. However, the condition of the roof means that it needs to be replaced which may result in the loss of the historic interest. To be consistent with Welsh Government advice, a new roof should replicate the existing structure.

It is the Conservation Officer's contention that whilst a change of design is regrettable in this instance the proposal is considered reasonable as it would allow the building to be utilised for a number of uses which the applicant desires.

In terms of the replacement of the roof to a different design, whilst the proposal would fail to preserve the existing character and setting of the listed building. In terms of design and construction, the proposal would only cause minimal harm to the buildings status and integrity as a building of special architectural and historic interest.

There are other proposed external alterations and examples including the change of design of windows and doors, the opening up of most of the blind windows; all allowing extra light into the building to suit the new use/s. The proposed outside cafe raised decking area and other external alterations would cause harm to the architectural and historic character of the building but are deemed necessary by the applicant for the beneficial use of the building. The proposals externally (not including the roof) are easily reversible if the applicant proposed to do so.

As to be expected the internal area of the building has been subject to alteration and there is little of interest. The proposals would involve the removal of modern additions and general refurbishment which in the opinion of the Conservation Officer would have no undesirable effect. The proposed openness of the Market Hall which is an important part of the buildings interest would be lost to an extent causing harm.

Extensive repairs are to be undertaken on a strictly like-for-like basis (where appropriate) using traditional methods and materials which is acceptable in terms of conservation.

In light of the above, the proposed change of use and the works to facilitate the new uses are 'key to the preservation' of the listed building.

Having considered the proposed mixed use and works to facilitate the use, the Conservation Officer feels that in this particular case, it probably represents the least harmful alternative, in preserving the building special interest, its architectural and historic character as far as possible, and providing viable uses for the building.

In addition, despite the harmful impact on elements of the building's special interest and architectural and historic character the new uses, could be argued as representing a later phase in the organic history of the building.

Overall the works should ensure that the condition and appearance of the building is improved which is welcomed.

It is acknowledged that the building has been redundant for a considerable period of time which is reflected in its condition. Therefore, the 'concept' of a new uses for the building is to be considered favourably. In light of the statutory and non-statutory frameworks for the historic built environment, the Conservation Officer is of the opinion that the new uses and works to facilitate the change of use would impact elements of its special interest. However, the proposals put forward probably represents the least harmful alternative, in preserving the buildings special interest, its architectural and historic character as far as possible, and providing a viable use. Overall the condition and appearance of the building would be significantly improved and the Llandeilo Conservation Area and the surrounding community enhanced by the new facility.

The Provisions Market is a Grade II listed (CADW Building ID 11049) Victorian market building and has been empty for the last sixteen years. The building is currently on the buildings at risk register and was classified as 'vulnerable' in 2007. Its lack of use in recent years has seen it fall into disrepair and parts of the building are in critical condition. There is no doubt that the fabric of the building will be irreversibly damaged if vital repairs are not carried out within the near future. The local community and Carmarthenshire County Council have been concerned about the poor state of repair of the building over the past decade. Although several previous schemes have been explored for its reuse none have progressed. Funding has now been secured by the County Council for the proposals now under consideration

The restoration of the market hall will add a new landmark to the town and will complement the range of heritage attractions in the area. The Hall will serve as a valuable community space that benefits local people as well as attracting visitors both locally and nationally. This will be supplemented by community events that will boost visitor numbers to the market and the town, as well as the wider region, creating an economically sustainable heritage asset.

Restoring the market will bring a quantifiable improvement to Llandeilo that will be appreciated by the local community, visitors to the town and the West Wales Region. The building, currently regarded as an eyesore locally, will be sensitively restored, becoming a vibrant and valued community attraction. The lifespan of the building will be increased through the careful management and sustainable economic viability that the mix of commercial use and community involvement will provide. The preservation and conservation of the building will provide a social historic legacy for future generations.

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

Although the Buildings Conservation Officer has expressed concern in regard to certain elements of the project after careful consideration of the scheme as submitted it is concluded that the adverse impacts of the proposals on the character of the building are minimal, the sustainable nature of the benefits of refurbishing and restoring this landmark building to a beneficial long term commercial use are essential in safeguarding the building for the long term, the redevelopment will result in significant economic and community benefits resulting from potential employment provision, therefore it is considered that the merits of the proposal outweigh the concerns raised in relation to the historic environment and the lack of on-site parking provision, therefore, the application is recommended for approval subject to the following conditions.

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 approved development relates to the following plans and documents received on August 23rd 2019 and works should be carried out strictly in accordance with them unless amended by any other condition:
 - Location Plan, Scale 1:1250 received on December 9th 2019
 - Existing Site Survey Plan (ES01 B) Scale 1:200 received on December 9th 2019
 - Proposed Site Plan (P01 C), Scale 1:200 received on December 9th 2019
 - Proposed Landscaping Site Plan and Proposed Sections (P09 A), Scale 1:200, 1:100 received on December 9th 2019

- Existing Elevations & Section (E03 A), Scale 1:100
- Existing Sections (E05 A), Scale 1:100
- Existing Lower Ground Floor Plan, Existing Sections, Existing Front (South West) Elevation (E02 A), Scale 1:100
- Existing Ground and First Floor Plan (E01 A), Scale 1:100
- Existing Roof Plan (E04 A), Scale 1:100
- Proposed Elevations (P06 A), Scale 1:100
- Proposed Sections (P05 A), Scale 1:100
- Proposed Lower Ground Floor Plan, Proposed Mews Elevations (P04 A), Scale 1:100
- Proposed Ground Floor Plan (P02 A), Scale 1:100
- Proposed Roof Level Floor Plan (P03 A), Scale 1:100
- Proposed Roof Plan (P07 A), Scale 1:100
- Proposed Floor & Ceiling Finishes (P08 A), Scale 1:200
- Existing Site Survey Plan (Demolition), Scale 1:200
- Existing Elevations & Sections (Demolition), Scale 1:100
- Existing Ground Floor Plan (Demolition), Scale 1:100
- Existing Lower Ground Floor Plan, Section & Elevation (Demolition), Scale 1:100
- Existing Roof Plan (Demolition), Scale 1:100
- Existing Sections (Demolition), Scale 1:100
- Heritage Impact Assessment
- Ecological Assessment and Bat Survey Report
- Structural Report received on December 18th 2019

3 No development or site clearance shall take place until an appropriate and comprehensive detailed Landscape Design Scheme (LDS), has been submitted to and approved in writing by the local planning authority. The LDS shall be in compliance with: all approved ecological and biodiversity recommendations and proposals for the site; relevant guidance as provided by the local planning authority; and the principles of the landscape information submitted within the following approved application documents:

- Proposed Landscaping Plan (P09 A)

4 The approved Landscape Design Scheme (LDS), as submitted to discharge condition 3 shall be fully implemented in the first available planting and seeding seasons following commencement of development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS which, within a period of 5 years after implementation, are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

5 No development shall take place until a Drainage and Service Infrastructure (DSI) Plan has been submitted to and agreed in writing by the local planning authority.

The DSI Plan shall indicate the; position, depth and height of all existing and proposed underground, overhead and associated surface DSI elements, in relation to the approved Landscape Design Scheme (LDS).

The DSI Plan shall demonstrate that potential conflicts have been minimised through DSI design and layout. In locations where, potential conflicts with the approved LDS are identified, a DSI Method Statement shall accompany the DSI Plan. The Method Statement shall specifically provide details of construction and installation operations and specific design solutions for all DSI elements located:

- within proposed landscape areas.

The development shall thereafter be carried out in accordance with the approved DSI Plan and Method Statement.

6 No development shall take place until appropriate and comprehensive Landscape Maintenance and Management (LMM) information has been submitted to and approved in writing by the local planning authority. The information shall include the following: -

- i) LMM Responsibility Plan which provides clear definition of those areas: -
 - subject to transfer to future private ownership and management responsibility;
 - proposed for adoption by the local authority.
- ii) LMM Scheme for all areas within the application boundary not included in the above. The LMM Scheme shall include: -
 - Plans, specifications and schedules for establishment and long-term maintenance and management, of all identified landscape areas, including monitoring and remedial operations;
 - Details of the management agent (body or organisation) responsible for implementation of the LMM scheme; and the legal and funding mechanism(s) by which delivery of the LMM scheme will be secured.

All landscape maintenance and management operations shall be fully implemented as approved.

7 No development shall commence until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by the local planning authority. The scheme shall be implemented as approved.

8 A scheme of parking that provides for the required disabled parking requirements of the CSS Wales' Parking Standards 2008, shall be submitted to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

9 Prior to any use of the development herewith approved, the written approval of the Local Planning Authority shall be obtained for a delivery scheme that ensures that only one HGV delivery is undertaken at any one time.

- 10 The proposed 'drop off lay-bys' shall only be utilised for the setting down and picking up of pedestrians and shall at no time be utilised for the purposes of parking of vehicles and shall be maintained free of any permanent obstruction.
- 11 No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during demolition and construction; and
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 12 Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of demolition and construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 13 During the demolition and construction phases, no works or demolition or construction shall take place other than within the hours of 07.30 – 18.30 Monday – Friday, Saturday 08:00 – 14.00 and not at all on Sundays, Bank or Public Holidays.
- 14 Development shall not begin until a Level 2 building survey of the existing building and structures has been carried out in accordance with guidelines provided by Historic England (2016) and the Local Planning Authority's archaeological advisors – Dyfed Archaeological Trust Development Management. The resulting survey should be approved by the planning authority prior to the commencement of development and deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust, Corner House, 6 Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AE,
- 15 The works are to be carried out in strict accordance with the recommendations contained within section 3.2.7.2 of the submitted ecology report.
- 16 No development approved by this permission shall be commenced until an Ecological Management and Maintenance Plan detailing all necessary ecological retentions, enhancements, creation, mitigation and ongoing management measures for the lifetime of the development, delivering the ecological recommendations listed within Section 4 the Walkover Ecological Assessment and Bat Survey report by Pryce Consultant Ecologists dated 15th August 2019, is submitted to and approved in writing by the Local Planning Authority. The plan shall then be implemented as approved.

- 17 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
- 18 The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have been submitted to and approved in writing by the local planning authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.
- 19 The proposed development site is crossed by a public sewer, the position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-6 In the interest of visual amenity.
- 7 Prevention of pollution
- 8 In the interests of Highway safety and to provide the necessary spaces required for the use of disabled employees and visitors.
- 9 To ensure that there is no conflict with the adjacent bus bay and that there is no overspill from the delivery bay onto the highway to the detriment of highway safety.
- 10 In the interests of highway safety.
- 11-13 To protect the living conditions of local residents.
- 14 In the interest of protecting and recording the historic environment.
- 15-16 In the interests of protecting wildlife and biodiversity.
- 17 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 18 To protect the integrity of the public sewage system and ensure the free flow of sewage.
- 19 To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

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).

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*Ardal De/
Area South*

**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**



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 JANUARY 2020
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/39358
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE OF THE PROPERTY FROM A CLASS C3 RESIDENTIAL DWELLING TO A CLASS C2 CHILDRENS RESIDENTIAL HOME AT 2 ERW LAS, LLWYNHENDY, LLANELLI, SA14 9SF

Applicant(s)	FRESHSTART CARE LTD, C/O AGENT,
Agent	ASBRI PLANNING - MR TOMAS HOPKINS, SUITE D, 1ST FLOOR, 220 HIGH STREET, SWANSEA, SA1 1NW
Case Officer	Zoe James
Ward	Llwynhendy
Date of validation	29/08/2019

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Councillor Cundy and Councillor Sharen Davies and following the receipt of more than five objections from third parties.

Site

The application site comprises no. 2 Erw Las a semi-detached dwellinghouse and associated parking and garden area to the rear. The property consists of a two storey renovated cottage fronting Erw Las in Llwynhendy. The property was extensively enlarged following granting of planning permission for a two storey extension to the rear in 2000. As a result, the dwellinghouse now has seven bedrooms, four of which benefit from individual ensuite bathroom facilities. At ground floor the accommodation comprises one of the bedrooms, alongside a large lounge, breakfast room, utility room, kitchen, dining room and two small toilets.

The property also benefits from a long extensive private garden area to the rear, this is accessed via a side driveway which allows access to car parking to the rear.

The property is situated within the defined development limits of Llanelli. To the east of the site is the C2206 classified road Erw Las beyond this and to the west of the site is open fields. Immediately to the south is adjoining property 4 Erw Las and a further detached property Ty To Maen beyond this. Directly to the north is grassland beyond which land is

allocated for residential development under reference GA2/H35 in the adopted Local Development Plan.

Proposal

The current planning application seeks change of use of the existing dwelling house for use Class C2 as a children's residential home. No physical external alterations are proposed to the dwelling or curtilage with the exception of the creation of a dedicated parking area to the rear to provide spaces for 3 cars. A new bike store is also proposed within the rear patio/garden area to allow secure storage for bicycles.

The proposed use will provide residential care for three young people between the ages of 11 and 18 years and will result in the employment of 4 staff members at the property (original submission proposed four young persons). It is understood that there will be two staff members at the property at all times and a staff change once every 12 hours. The team leader will be present to transfer information to the incoming team and shift changeover.

The applicants Freshstart Care Ltd have confirmed that the home will be used for vulnerable, neglected and disadvantaged children who are currently in the care of a Local Authority and need a safe home. The proposal is not to accommodate children who are in the justice system. There has been a lot of miscommunication surrounding the application and the children who may be accommodated at the site.

Planning Site History

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

S/05641	Permission to use 2 bedrooms as overspill guest house accommodation maximum of 4 guests Retrospective Change of Use Full Granted	29/01/2004
S/02789	Renovation of existing dwelling and construction of 2 storey extension Full Granted	21/12/2000

Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces

SP3 Sustainable Distribution- Settlement Framework

SP9 Transportation

H6 Residential Care Facilities

[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 – raised initial queries regarding staff arrangements and parking requirements at the property. Following discussion with the agent and submission of a revised parking layout, the Highways Officer has confirmed no objection subject to imposition of conditions.

Head of Public Protection - No observations.

Llanelli Rural Council – object to the application and consider that the use is inappropriate in this location given the number of vehicles accessing the site being detrimental to highway safety, parking provision is insufficient, the proposed use does not complement the use of the adjoining semi-detached residential dwelling and will have a detrimental impact on the residential amenity of this property and other neighbours.

Local Member - Councillor Sharen Davies has objected to the application on grounds of increased noise, highway safety, parking arrangements, flooding concerns, safety of existing residents, property value and insufficient consultation with members of the community. Cllr Davies also requested that the application is considered at Planning Committee, that a site visit be undertaken and she would like to speak against the application.

Local Member - Councillor Fozia Akhtar has not commented to date.

Local Member - Councillor Deryk Cundy from the adjacent ward has also objected on the basis that there is no correlation with the housing of children on the Council Register given the Local Authority are not involved with the project, the property is inappropriate, insufficient parking, the proposed use of the property is unknown and there is a lack of information or details regarding the regulation of the property, qualifications and safety of staff. Reference is also made to the concerns of local residents regarding their security and safety given the lack of information regarding the future occupants and no consultation with the community.

Community Councillor – Councillor Jason Hart has also objected given the numerous objections received from local residents and considers that the proposal will result in a hostile environment for the children. Also concerns regarding increased traffic flow, increased noise, lack of car parking and no option to extend further given flooding concerns. Requests a site visit is undertaken.

Carmarthenshire Children's Services – advise that they do not use private residential homes for looked after children so will be utilised by outside local authorities.

Police Liaison - No observations 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 neighbouring letters and site notices posted in the vicinity of the site and along Erw Las.

Over 30 representations were received, all objecting, with the exception of 2 in support, and the matters raised are summarised as follows:

- Fresh Start Care Serviced Ltd will be caring for young vulnerable people between ages of 16-21 years of age who may have a history of offending and this is not suitable in a semi-detached private property within a rural residential area.
- There are existing problems in the area concerning anti-social behaviour, fly tipping, traffic incidents and drug usage.
- Social problems presently experienced in Erw Law could cause aggravation and trouble for vulnerable youngsters.
- A petition has been started which is already on 133 signatures from people in the community.
- The safety of existing children is paramount, the proposal will jeopardise this.
- There are a lot of elderly residents within the street who will be very vulnerable.
- The community is very family oriented with 4 primary schools and a number of nurseries.
- Concerns raised regarding next door neighbour who has recently been burgled and will be negatively impacted by the proposal, particularly through additional noise from the development.
- If the company proposing the development did not know that they need planning permission then there is extreme doubt of their professionalism.
- Appears that the company are not disclosing information, if the property is used to house young offenders then this is Use Class C2A rather than C2 which is what the application refers to. Also the ratio of staff to children confirms suspicions that trouble will be expected.
- Inconsistency between application submission and Fresh Start Care website.
- Proposal fails to comply with Policy GP1, H3, SP1, SP2, EP1 and EP3 of the Council's Local Development Plan.
- Many more suitable buildings elsewhere in Llanelli, children in care face huge challenges and need to be in an appropriate location.
- Limited information has been provided to neighbours regarding the future occupants.
- The applicant should expand on what measures will be put in place to supervise the young people living there and their safety.
- Existing services and facilities are already overwhelmed and do not have capacity for additional residents.
- Erw Las is being used as a short cut to the link road to Llanelli and Burry Port so is a dangerous road, the 30mph speed limit is ignored and there is no pavement along the side of the road on which the property is situated.
- Staff arriving at the property will add traffic on a quiet rural byway.
- Cycling on the roads is dangerous.
- Property is on a flood plain and has previously been flooded despite application form not making reference to this.
- The previous use of the property as overflow accommodation for Llwyn Hall Hotel caused nuisance to neighbours at times.

- No amenities of suitable interest for youngsters nearby.
 - Reference is made to no work being undertaken yet all of the rooms are already set up for occupation
 - Brand new company set up with no experience, with the primary motive being financial gain.
 - Proposal will be used to house children from outside the local area, the company are set up outside of Wales.
 - Where would the resources come from for the children when they leave the care system?
 - Detrimental impact on house prices.
 - Limited consultation taken place with residents.
 - Everything for this proposed development has been done covertly until it was reported to the planning and enforcement officer.
-
- Support the proposal and consider more homes should be built/set up if required.
 - Children should not be defined by the crimes they have committed, they are misguided and unloved.
 - People need to learn to be more compassionate, open minded and not live in fear of what is posted on social media.
 - More should be done to educate people.
 - Scaremongering to local community causing numerous objections. Instead community should be supporting the youngsters.

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

Appraisal

Clarity regarding the proposal

There has been a significant number of objections raised regarding the application and concerns regarding the nature of the proposed occupants. A number of the objections make reference to the proposed residents being criminals or young offenders and the care home being a secure establishment. This is incorrect. The application seeks change of use for a children's residential care home to provide a suitable home for disadvantaged children within the care system. Care is to be provided in a family type environment for a maximum of three children and four staff members working on a shift pattern to cater for the resident's needs. The proposed use falls within the definition of Use Class C2 which is specified as: "*residential accommodation and care to people in need of care – residential schools, colleges or training centres, hospital or nursing home.*" The proposal does not fall within the separate Use Class C2a which refers to a secure residential institution and includes prisons, young offenders' institution and detention centre etc.

The applicant, Freshstart Care Ltd do not presently have a website. The company trading under the same name is entirely separate to the applicants for the proposed development as confirmed in writing in the letter from Asbri Planning dated 21 October 2019. On this basis, a number of the concerns raised by members of the local community in their objections to the proposal are misplaced and irrelevant.

Principle of development

The planning application proposes a change of use from the existing residential dwelling to a children's care home under use class C2. Policy H6 of the Adopted Local Development Plan (LDP) is the most pertinent in the consideration of the application. The policy permits proposals for residential care facilities within development limits of a defined settlement where it has safe and convenient access to community facilities and services. The site is located within the defined development limits of Llanelli and is within walking distance of local facilities in Llwynhendy and bus stops providing services to Swansea, Llanelli and the local area. Whilst it is noted reference is made to there not being a footway along the road from the site to the bus stops, there is a pedestrian footway on the opposite side of the road which runs up Erw Las with only a section on Parc Gitto to the north not benefiting from a separate pedestrian pavement. The Authority's Head of Highways has not raised any concerns in this regard.

In addition, the supporting text to the policy acknowledges that "the inclusion of such facilities within the development limits ensures that residents remain integrated into the community." As such, the location of the site within the existing community is considered to comply with policy requirements.

Comments have been received from the Authority's Children's Services Team who advise that they do not support the proposal on the basis that the service does not use private residential homes for looked after children and as a result the proposal will be utilised by other local authorities. However, the applicant is not a consideration in the determination of planning applications, the process is unable to differentiate between whether the service would be operated by the Authority or a private service provider.

Impact upon character and appearance of the area

In terms of the impact of the use on the existing character and appearance of the locality, the proposal involves no external changes to the building fabric of the host property and limited external changes to the curtilage. The property would retain its appearance as a large, semi-detached domestic property with large garden alongside patio and parking area to the rear. The change of use would have limited impact on the general character of the surrounding area.

The proposal is to provide residential care for up to three children/young people occupying the property who are intending to live as a family. Notwithstanding the provision of care to the residents, the use of the property will remain residential within an area largely dominated by residential development and within defined development limits and would not impact on the character of the locality.

Residential Amenity Considerations

In terms of the impact on the amenity of the adjoining residential property and neighbouring properties, the main issues to consider include noise and loss of privacy. Firstly, turning to noise, the proposed change of use remains within a residential use and given the proposal seeks consent for a maximum of three children at the property there will not be an excessive number of children residing at the property. The application site is a large property benefiting from a number of large double bedrooms and as such could be occupied by a large family now with excess of three children without any planning permission required. As such, it is not considered that the proposal will exceed normal noise levels generated by a large residential property. Notwithstanding this, conditions are suggested to be imposed on any planning permission granted restricting noise levels and

ensuring any necessary noise insulation is installed to protect any potential impact on the neighbouring occupier.

Turning to loss of privacy, the application site consists of a semi-detached dwelling with rear garden of the neighbouring property also running in parallel. There are three windows on the rear elevation of the site which directly adjoin the neighbouring property and one side window on the vast extension to the property which looks towards the garden of the neighbouring property. This window and one on the rear elevation are shown to be bathroom windows on the submitted floor plans and therefore would be obscure glazed. The other two windows on this element of the rear elevation do allow views into the rear area of the garden of no. 4 Erw Las yet are not oriented towards the property.

A number of objections raised make reference to current anti-social behaviour problems relating to the locality and raise concern that this proposal will exacerbate the situation. Existing issues are matters for the police and the proposal, which is a residential use for a maximum of three children, is unlikely to result in such high levels of anti-social behaviour to warrant the refusal of the planning application. Furthermore, concerns are raised regarding community safety in relation to the nature of the residents of the property. The development is not considered to be of a scale or nature to raise adverse concerns in this regard. The submitted details highlight that staffing arrangements ensure care will be provided to the residents on a 24 hour basis and the occupants are no more likely to disturb or adversely impact on neighbours than the occupants of a large family home.

In land-use terms this proposal appears very much like a large family home but arguably what makes it different is the perceived personalities of the young people that would occupy the property and the potential level of disruption that might arise from their behaviour. This is somewhat of an unknown, variable factor and one that it is difficult to predict in the consideration of this planning application. The intensity of the use of the site would differ to some degree from that of a normal household as the level of care and support may result in a more frequently accessed site by staff and is likely to lead to some additional activity compared to its use as a single dwelling. However, the applicants have advised that the shift operation would be 12 hourly with only two changeover points per day. Otherwise the submission highlights that the peak traffic generation from the property would be broadly similar to that of a normal dwelling with regard to the school run etc. The movements caused by staff members would be relatively minor and would not be significant in relation to impact on local amenity.

In line with the Regulation and Inspection of Social Care Act (Wales) 2016, the applicant is required to register with the Care Inspectorate Wales (CIW) prior to providing a care service. As part of the application process a premises assessment is undertaken to evaluate and assess the suitability of the proposed premises in line with the needs of the intended occupiers. The applicant have advised that they are in the process of obtaining the relevant licence and without which it will not be possible for the care home to operate. The management of the site would then be regulated by the Care Inspectorate Wales independent of the planning process.

As a result, it is considered that the proposed development complies with policy GP1 and in particular part d) in so far as any potential impact on amenity of adjacent residents.

Highway Impacts

A number of objections received refer to the inadequacy of the existing road network, existing problems concerning dangerous driving and traffic incidents and consider that the proposal and the parking arrangements for the property will heighten the problems.

In considering the traffic and transport implications of the proposed change of use it is noted that the site benefits from three parking spaces permitted to the rear of the site as part of the previous permission granting use of two bedrooms of the property for overflow guest house accommodation. The Authority's Highways Planning Liaison Officer has queried the staff arrangements at the property and the previous potential intensification proposed on an existing sub-standard access. Following additional information submitted from the agent and a reduction in the number of children proposed to reside at the property and therefore reduction in staff, the proposal will now not require an additional level of parking than the existing use. The Highways Officer has confirmed no objection subject to imposition of conditions.

In terms of the additional traffic associated with the proposal, as acknowledged above the traffic movements will largely be as expected for a family dwelling with the additional movements caused by staff members being limited.

Flood Risk Implications

Many of the objections refer to flooding concerns at the application site and make reference to historic flood events at the property and adjoining property. However, the site is located within Zone A on the Development Advice Maps. Technical Advice Note (TAN) 15: Development and Flood Risk. TAN15 defines Zone A as being land considered to be at little or no risk of fluvial or tidal/coastal flooding and no further flood risk consideration is required.

Nevertheless, the change of use proposed remains a residential use and therefore is considered 'highly vulnerable' development, as per the existing use at the property. On this basis, there is no change in the vulnerability of the site as a result of the proposal.

Lack of transparency/consultation

A number of the objectors make reference to there being limited consultation undertaken with members of the local community. For an application of this scale (not major development) there is no requirement under planning legislation to carry out pre-application consultation with local residents.

In line with Article 12 (5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), the Local Planning Authority must publicise an application by giving requisite notice-

- (a) by site notice displayed in at least one place on or near the land to which the application relates for not less than 21 days; or
- (b) by serving notice on any adjoining owner or occupier.

Consultation letters were sent to neighbouring properties and two site notices were erected within the vicinity of the site along Erw Las. As such, the requirement for the Local Planning Authority to undertake relevant publicity has been undertaken in compliance with the regulations.

Other Matters

In terms of the other matters raised and not addressed above, the number of staff proposed is not the ratio of staff to children and all four staff members will not be working at the property at the same time. There will be two members of staff per 3 children at the property. Comments have been received stating that the use should be located elsewhere, the planning application must be considered on the basis of what has been submitted and other locations are not reviewed as part of this application.

Objections are raised regarding pressure on existing services, given the scale and nature of the application proposal for a care home for three children and given that the existing property could presently be occupied by a family with three or more children, additional pressure on resources is not considered to be significant or warrant refusal of the application. Comments make reference to the Police being consulted and fire safety. The Police Liaison team were consulted as part of the planning application and no response has been received to date. A copy of a support letter for the proposed use has been received from SMS Fire Safety Consultants who visited the property to carry out a fire risk assessment.

No objections have been raised from local service providers in response to the application. The issues raised by the respondents in respect of depreciation of property value are not material in the consideration of the application.

Planning Obligations

None

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, alongside the responses from statutory consultees and numerous comments received from third parties, it is concluded on balance that the proposed development complies with the relevant LDP policies and would not adversely affect the character of the area, prejudice highway safety or significantly harm neighbours' amenities. The concern regarding the adverse impact on residential amenity and the fear for an increase in anti-social behaviour, arising from the perceived behaviour of the proposed residents is not sufficient to warrant refusal. In balancing the planning matters of the proposal the scheme is considered acceptable and is recommended for approval subject to the following conditions.

RECOMMENDATION – APPROVAL

Conditions

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
 - Site Location Plan scale 1:1250 received 20 July 2019;
 - Block Plan scale 1:500 received 20 July 2019;
 - Existing and Proposed Floor Plans received 13 November 2019;
 - Asbri Planning Covering Letter reference. S19.173 dated 18 July 2019 received 20 July 2019;
 - Freshstart Care Ltd – Supporting Statement received 1 November 2019;
 - Asbri Planning response to third party comments reference. S19.173 dated 21 October 2019;
 - Parking Layout – Inbound Movements drawing 1 received 23 December 2019;
 - Parking Layout – Outbound Movements drawing 2 received 23 December 2019;
- 3 The premises shall be used for a children’s residential care home for a maximum of three children and for no other purpose including any other purpose in Class C2 of the Schedule to 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.
- 4 Noise associated with the proposed development shall not exceed a cumulative rating level of 35dB at the facade of the nearest noise sensitive receptor between the hours of 07:00 and 23:00. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.
- 5 Noise associated with the proposed development shall not exceed a cumulative rating level of 30dB at the facade of the nearest noise sensitive receptor between the hours of 23:00 and 07:00. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.
- 6 At the written request of the Local Planning Authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to a methodology agreed by the Local Planning Authority to determine whether noise arising from development exceeds the levels specified in condition 5 and/or 6 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Conditions 5 and/or 6 are exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in conditions 5 and/or 6. The development shall then be undertaken in accordance with the approved details.
- 7 The access and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

- 8 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 9 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 10 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To confirm the extent of the permission and in the interest of visual amenity.
- 3 To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety and residential amenity.
- 4-6 To protect the amenity of neighbouring residents.
- 7-10 In the interest of Highway 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).

Application No	S/39644
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Application Type	Full Planning
Proposal & Location	PROPOSED FRONT AND REAR EXTENSION WITH NEW DORMER WINDOWS, LIFTING OF EXISTING RIDGE LINE BY 350MM AND ROOF PITCH CHANGE AT 43 PEN LLWYN GWYN ROAD, BRYN, LLANELLI, SA14 9UH

Applicant(s)	ROBERT REES, 43 PEN LLWYN GWYN ROAD, BRYN, LLANELLI, SA14 9UH
Agent	,
Case Officer	Zoe James
Ward	Llangennech
Date of validation	16/10/2019

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 site comprises the curtilage of a detached dwelling at no. 43 Penllwyngwyn Road in the Bryn. The dwelling is set centrally within the plot with car parking and driveway to the front of the dwelling and amenity garden area to the rear. The front door to the dwelling is on the side elevation to the west facing the lane off Penllwyngwyn Road. At the rear of the property is a single storey conservatory and lean-to extension. The front of the property has a rough-cast render finish with smooth render on the rear elevation.

The site is bordered by Penllwyngwyn Road to the north, residential properties to the east and the access lane adjacent to the west with additional residential properties beyond. To the rear of the site lies a vacant plot which was recently granted permission at Planning Committee for a detached dwelling.

The site is not situated within any environmental or ecological designations, and is entirely within the Coal Authority's Development Low Risk Area.

Proposal

The application seeks full planning permission to raise the ridge line of the property by 350mm alongside a front and rear extension. The existing conservatory and single storey lean-to extension are proposed to be demolished to the rear elevation. The proposal involves the internal re-organisation at ground floor to provide a larger bedroom and study to the front and open plan kitchen/lounge/dining area to the rear, with rooflights and two bi-fold doors on the rear elevation. At first floor, two large bedrooms are proposed at the front and rear of the property alongside a shower room and small reading room.

To the front, the property extends 3.7 metres from the existing footprint. To the rear the ground floor extension partly sits on the footprint of the existing conservatory to the east, the proposed extension is approximately 6.7 metres from the rear elevation of the main dwelling. At first floor, the two storey element of the extension is 4 metres on the rear elevation. A new porch and dormer window is proposed centrally on the western side elevation to create a new feature entrance to the property. In addition, two further dormer windows are proposed on the west elevation to allow for sufficient space at first floor. On the east elevation, a single dormer window is proposed for the bathroom again to create sufficient space within the room. Roof lights are proposed on the east elevation for the two bedrooms.

The proposed extension seeks to utilise a smooth render in white, alongside Marley Cedral cladding boards. Windows and doors are to be black aluminium with rainwater goods black and roof tiles to be slate grey fibre cement slates.

The proposals are required to provide additional space for medical reasons. A statement has been submitted by the applicant in support of the application.

Planning Site History

There are no records of any previous applications at the site.

Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

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

GP1 Sustainability and High Quality Design
GP6 Extensions

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Head of Transportation & Highways – Confirmed no observations on the application.

Llanelli Rural Council - No observations received to date.

Local Member(s) – Councillor Gwyneth Thomas has not commented to date. Councillor Gary Jones has been in discussion with the applicant and objectors and considers that sufficient alterations have been made to the plans and this should go ahead.

Sustainable Drainage Approval Body – no comments to provide on the proposal.

Planning Ecology – no objection, issued bat advisory.

Dwr Cymru/Welsh Water - No objection subject to conditions.

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

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and a site notice posted on the lane off Penllwyngwyn Road.

13 representations were received, 3 objecting and 10 commenting/in support, and the matters raised are summarised as follows:

- The plans do not accurately reflect what is at the site. The property already has a loft conversion which takes up the permitted development rights.
- The non-fixed structures to the rear should not be included as footprint of the ground floor. Why have the owners not declared what is there? The extended property would increase the building size by 50% of its current size and the plans seek to mask this.
- The property was advertised and sold in Spring 2018 by Dawsons as a 2 bedroom property and not 3 bedroom property.
- The drawings do not show side views of the proposed development, this needs to be clear so the impact and any windows overlooking adjacent properties can be considered.
- The property is not in a state of disrepair or dereliction.
- The increased height and extended length of the proposal will block the sun in the evening. This application alongside the new dwelling approved to the rear will 'hem' in the adjacent property.
- The height will result in approximately 1.5 hours loss of sunlight in the summer months and total loss of sun in the winter months.
- Planning permission never granted for two non-permanent conservatory type buildings to the rear.
- No drawings or plans for the intentions of the rooms in the application or location of windows to assess any loss of privacy to neighbouring properties.
- Will the dormer windows create a two storey building?
- As the ground level is sloping no. 43 is already higher than properties to the east and raised roof height will reduce natural light for properties to the east.
- Will the dormer window proposed on the east elevation be obscure glazing to protect privacy?

- The proposal will greatly affect the look of the area which are predominantly bungalows.
- The proposal will swallow the light to no. 45 and will affect future sale of the property.
- The development is not in keeping with adjacent properties within the area.
- Residents of the community for over 50 years and we support this application based on the improvement of the building and it is the home of a young family with children who would greatly benefit from the extra space.
- Proposal will greatly improve the aesthetic of the current property and thus the local area.
- Existing property in state of disrepair and proposal will be an improvement.
- It will substantially improve the property, compared to its current poor state and indeed enhance all the surrounding properties in the locality.
- Property has been vacant for a few years and required improvement. The proposal will be an asset to the neighbourhood.
- As neighbours to the application, please take into account that we have no objection to the proposed works.
- Supportive of bringing this unattractive dated house up to modern standards.
- Very sad to see homes in a state of decrepitude within the community, especially since it is located directly opposite such an attractive new development as Maes Y Bryn.
- No objections.

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

Appraisal

The proposed development comprises the raising of the ridgeline of the existing property to create a first floor extension, alongside extensions to the front and rear of the property. In terms of visual impact, the proposal does alter the appearance of the dwelling from the front elevation and view from the streetscene. The addition of dormer windows alongside the slight raise of the ridge line results in the dwelling being 'squared off'. However, from review of properties within the surrounding area there is no strong design or character which the proposal will fail to conform to or enhance, as specified by Local Development Plan (LDP) Policy GP1. Similarly, the proposed front extension will result in the building line of the property protruding slightly beyond the neighbouring dwelling to the east but is roughly in line with the adjacent property to the west. As such, it is not considered to have an adverse impact on the character or appearance of the area. Furthermore, sufficient garden/amenity space remains, as required by Policy GP6.

The proposed extension to the rear does involve a two storey element protruding approximately 4 metres from the existing dwelling. At present the rear conservatory and lean-to is only single storey. The proposed first floor extension to the rear has been reduced slightly by around 1.4metres following submission of the application originally. Detailed discussions have been held with the applicant and it is not possible to reduce the extension of the property further without compromising on the internal space required by the applicant's family for medical purposes. When considering the application and the comments from third parties and in particular the lack of objection from the neighbouring property to the east, it is considered that the two storey rear extension will not have a

significant impact on the amenity of the adjacent properties to outweigh the benefits associated with the proposal for the applicant's family.

In terms of impact on privacy arising from the application, the new dormer window proposed on the east elevation will be to allow additional space within a bathroom. This window will be obscure glazed to prevent any opportunity for overlooking and loss of privacy. The other new windows proposed on this elevation at first floor are roof lights and will be above eye level, as such they will not result in loss of privacy to the detriment of neighbouring properties. Turning to the west elevation, the property adjoins the existing lane off Penllwyngwyn Road, beyond this is a single storey detached bungalow. A new porch alongside first floor dormer is proposed in the centre of the side elevation as a feature to the entrance to the property. Following submission of revised plans, this element has been reduced slightly to mitigate against any potential for overbearance. To ensure there is no detrimental impact through loss of privacy from the large glazed panels at first floor level, these are proposed to be obscure glazing. The other two dormer windows proposed on the west elevation are again required to provide suitable internal floorspace. These windows do not protrude from the main dwelling and will be a minimum of 12.5 metres from the side elevation of the nearest property on the other side of the access lane. As such, in line with Policy GP6, there is not considered to be an adverse effect on the amenity of adjacent occupiers by loss of privacy or overbearance.

In terms of the comments relating to the plans not being submitted showing side elevations or first floor windows. This is not the case, both elevation and floor plans have been submitted for the proposed extension specifying window locations and internal rooms.

Reference in the comments to the application not being clear regarding the existing conservatory/building at ground floor level, the submitted existing floor plan does clearly make reference to a conservatory at the rear and indicates this as single storey only. Furthermore, a site visit has been undertaken to clarify the existing built development at the site. In terms of the reference to the building being increased in size by more than 50%, this is one of the criteria within permitted development rights for extensions to dwellings. As a planning application has been submitted for the proposal, the criteria does not apply.

The proposal does not impact upon the highway network and there are no ecological/environmental considerations, a bat advisory has been issued to the applicant.

Following the above assessment and the relevant material considerations in this case, the proposal is considered to be acceptable.

Planning Obligations

None

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 WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, along with third party comments and the relevant material considerations it is concluded on balance that the proposed extension and alterations are acceptable. As specified, the proposal is required to provide additional space required by the applicant's family for medical reasons. In terms of the design, there is no strong character or design of existing properties in the surrounding area and as such the proposal is considered to comply with criteria a) of LDP Policy GP1. The scale of the proposed extension is considered to be compatible with the size of the existing dwelling and curtilage, and sufficient parking and garden/amenity area remains, as specified by Policy GP6. In terms of the amenities of neighbouring occupiers, these are not considered to be adversely affected by the development to outweigh the benefits associated with the scheme for the applicant's family.

Furthermore, no objections have been received from statutory consultees and the application is put forward with a favourable recommendation subject to the below conditions.

RECOMMENDATION – APPROVAL

Conditions

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans and documents:-
 - Site Location Plan scale 1:1250 received 2 October 2019;
 - Existing Floor Plans and Elevations drawing no. A100-001 received 2 October 2019;
 - Proposed Floor Plans and Elevations drawing no. A100-002-1 received 21 November 2019;
 - Proposed Block Plan drawing no. A100-003-1 received 21 November 2019;
- 3 Notwithstanding the details specified on the Proposed Floor Plans and Elevations, details/samples of the proposed materials 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 thereafter.

- 4 Before the development hereby permitted is first brought into use the bathroom/shower room window and the reading room window at first floor level (as shown on Proposed Floor Plans and Elevations drawing no. A100-002-1) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.
- 5 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
- 6 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity and to confirm the extent of the permission.
- 3 In the interests of visual amenity.
- 4 In the interest of privacy.
- 5 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 6 To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

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 responses received from consultees and third parties can be found on the Authority's website (www.carmarthenshire.gov.uk). They may also relate to other permissions or consents required or include further advice and guidance.
 - Please see the relevant response from the Planning Ecologist and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.

Application No	S/39750
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Application Type	Full Planning
Proposal & Location	1) NEW SINGLE STOREY EXTENSION TO THE REAR 2) EXISTING GARAGE, UTILITY ROOM AND SHED TO BE DEMOLISHED AND REPLACED WITH NEW GROUND FLOOR EXTENSION TO PROVIDE NEW KITCHEN/DINING ROOM AND UTILITY ROOM. 3) EXISTING SIDE ENTRANCE PORCH TO BE DEMOLISHED AND REPLACED WITH NEW ENTRANCE PORCH AT 37 OAKLANDS, LLANELLI, SA14 8DE

Applicant(s)	MR & MRS C WATKINS, 37 OAKLANDS, LLANELLI, SA14 8DE
Agent	,
Case Officer	Zoe James
Ward	Swiss Valley
Date of validation	05/11/2019

Reason for Committee

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

Site

The application site consists of the curtilage of a detached bungalow located in Oaklands within Swiss Valley. The site comprises a rectangular building situated centrally within the site with a side 'L' shaped garage and utility room adjoining. To the front of the garage is a paved parking area with double entrance gates, chippings to the front of the property and a paved pedestrian walkway providing access to the existing porch to the other side of the property. To the rear is an existing conservatory, patio and stone chippings area surrounded by a wooden close boarded fence.

The dwelling fronts onto Oaklands with a large window in the main part of the property alongside a garage door and single access door. The bungalow has a spar dash finish with a pitched roof.

Proposal

The application seeks full planning permission for the following works at the existing dwelling:

- 1) New single storey extension to the rear
- 2) Demolition of the existing garage, utility room and shed to be replaced with new side ground floor extension; and
- 3) Demolition of the existing side entrance porch and replaced with a new entrance porch.

The application was originally submitted with plans to raise the ridge height and create a first floor. However, following discussion with the applicant and a number of neighbour objections the proposal has been revised and a new single storey extension is proposed to the rear instead to comply with the requirements of Local Development Plan Policy GP6.

The rear single storey extension will project 4 metres of the existing rear elevation and is almost the entire width of the property at 6.1 metres. The extension will provide for the creation of an additional bedroom and en-suite, two new windows are proposed on the new rear wall and one new side window for the en-suite, which will be obscure glazed. Internal alterations are also proposed to allow for the creation of a hallway to access the new bedroom. As a result, a new window is also proposed on the side elevation of the existing property to provide a window for bedroom 1.

Turning to the second element of the proposal, the existing garage, utility room and shed is proposed to be demolished to allow for the creation of a side extension to provide a new kitchen/dining room and utility room. The extension will protrude from the existing dwelling to the site boundary and measures 7.2 metres to the front and 3.4 metres to the rear as it follows the boundary of the site. The side extension will have a flat roof with an atrium glazed feature.

The third element proposes demolition of the existing side porch located on the southern elevation of the property and replacing with a slightly larger porch of 1.5 metres in width and 3.7 metres in length. A new door is proposed within the porch facing onto Oaklands.

Planning Site History

There are no records of any previous applications at the site.

Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

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

GP1 Sustainability and High Quality Design
GP6 Extensions

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Head of Transportation & Highways - No observations received to date.

Head of Public Protection - No observations received to date.

Llanelli Rural Council – Revised response received following amended plans confirming no objection providing that the single storey extension is of appropriate design and also subordinate in scale to the original dwelling.

Local Member(s) - Councillor Giles Morgan objects on the basis that Swiss Valley is predominantly a housing estate of uniform bungalows and the proposal will be considered incongruous and out of place. Bungalows are in short supply within the county and turning a bungalow into a house further reduces the stock of such buildings and disables elderly and disabled people from choosing these of property. Proposal could result in a number of applications changing the street scene and is contrary to policies GP1 and GP6. [Comments received prior to amended plans].

Dwr Cymru/Welsh Water – no objection subject to condition and highlight the site is crossed by a public sewer.

Planning Ecology – no objection, issued bat advisory.

Sustainable Drainage Approval Body – no comments to provide on the proposal.

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

Summary of Public Representations

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

Two representations were received, both objecting and the matters raised are summarised as follows:

- Loss of privacy to property to the rear
- The application site is higher than other bungalows in Oaklands due to the incline of the land.
- Use garden extensively and only suitable area to sit is the top part closest to the application site, if approved, the garden would not be able to be used as it would be overlooked and loss of light would impact plants and trees which have been growing over the years.
- Area is made up of predominantly bungalows and the proposal will change the characteristics of the street/area.
- Scale and appearance is inappropriate.

- There is sufficient land at the back of the bungalow to allow a ground floor extension which would keep the bungalow's uniform structure.
- Concerns regarding the disruption and noise neighbours will be subjected to during construction period of the extension.

Please note the comments were received prior to the amended plans being submitted, yet no revised comments have been received following submission of the latest plans.

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

Appraisal

The proposed rear extension extends beyond the existing dwelling by 4 metres with a width of 6.1 metres and is slightly smaller width than the existing dwelling. The rear extension roof comprises a pitched roof to match the existing, albeit it is at a lower level with ridge height of 4.4 metres. Part of the rear extension is proposed on the footprint of the existing conservatory at the property. The application site still affords sufficient garden and amenity space to the rear of the property. No loss of privacy is considered as two small windows are proposed on the rear elevation looking onto the garden and the ensuite window will be obscure glazing. The proposed new window on the side elevation for bedroom 1 is not considered to have an adverse impact on the privacy of the neighbouring occupier as there is an existing boundary wall and hedge minimising direct views. In addition, the window for bedroom 3 is presently on the side elevation. It is also noted that one of the objectors makes reference to a rear single storey extension being more appropriate at the site than the original proposal to increase the roof height and provide a first floor extension.

The second element of the proposal involves demolition of the existing garage, utility room and shed to be replaced with a larger side extension comprising a kitchen/open plan dining area and utility room. Whilst the replacement extension is larger than the existing footprint on this elevation and extends up to the site boundary with the neighbouring property to the north, no objections have been received from this property. In addition, the extension will be single storey and have a flat roof, with a height of 2.6metres at the eaves, increasing to 3.6metres for the atrium roof feature. No new windows are proposed on the side elevation of the extension. Given the positioning of the application site at a slightly lower level than the neighbouring property, the side extension is not considered to have an adverse effect on the amenity of neighbouring occupiers by virtue of loss of privacy or overbearance.

The third part of the application involves the demolition of the existing small side porch on the south elevation and replacing with a slightly larger porch and front door facing Oaklands. The new porch extends beyond the property by 1.5 metres compared to 0.8 metres existing with a depth of 3.7 metres compared to 2.1 metres. The proposed new porch is 0.1 metres higher than the existing. On this basis, the proposed porch is not considered to have any adverse impact on the amenity of neighbouring occupiers.

Whilst the proposal does involve a greater footprint of development at the application site, sufficient garden/amenity space and car parking remains and the proposal is not considered to be overdevelopment of the site. The materials are proposed to match the existing, with the walls to be concrete block with spar dash finish, Marley Modern roof tiles and white UPVC windows and doors.

The proposal does not impact upon the highway network and there are no ecological/environmental considerations, a bat advisory has been issued to the applicant.

The proposal is therefore considered to be in accordance with the objectives of policies GP1 and GP6 in terms of its scale and appearance and likely impact upon the residential amenity of neighbouring occupiers.

The revised plans largely address the consultation comments and objections received. The comments received regarding noise and disturbance during the construction period are not a significant consideration, an element of noise and disturbance is expected during the construction period.

Planning Obligations

None

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, together with the representations received to date it is concluded on balance that the scale and design of the proposed extensions are considered to be acceptable and have no detrimental impact on the character and appearance of the existing property and surrounding residential area. The extensions are subordinate and compatible to the size, design and character of the host dwelling and the amenities of adjacent occupiers will not be adversely affected by the development.

The proposal is in accordance with the policies of the adopted Local Development Plan and is therefore put forward with a favourable recommendation subject to the below conditions.

RECOMMENDATION – APPROVAL

Conditions

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans:-

- Site Location Plan scale 1:1250 received 5 December 2019;
 - Block Plan scale 1:500 received 5 December 2019;
 - Proposed Block Plan scale 1:500 received 5 December 2019;
 - Existing Ground Floor Plan scale 1:100 drawing no. ETW 001 Rev 01 received 5 December 2019;
 - Existing Elevations scale 1:100 drawing no. ETW 002 Rev 01 received 5 December 2019;
 - Proposed Ground Floor Plan scale 1:100 drawing no. ETW 003 Rev 01 received 5 December 2019;
 - Proposed Elevations scale 1:100 drawing no. ETW 004 Rev 01 received 5 December 2019.
- 3 The materials to be used in the construction of the external surfaces of the extensions and porch shall be as specified on Proposed Elevations drawing no. ETW 004 Rev 01) and match those used in the existing building.
- 4 Before the development hereby permitted is first brought into use the en-suite bathroom window (as shown on Proposed Ground Floor Plan drawing no. ETW 003 Rev 01) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.
- 5 The proposed development site is crossed by a public sewer with the approximate position being marked on the Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity and to confirm the extent of the permission.
- 3 In the interests of visual amenity.
- 4 In the interest of privacy.
- 5 To protect the integrity of the public sewer and avoid damage thereto.

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 responses received from consultees and third parties can be found on the Authority's website (www.carmarthenshire.gov.uk). They may also relate to other permissions or consents required or include further advice and guidance.
- Please see the relevant responses from Dwr Cymru/Welsh Water and the Council's Planning Ecologist and refer to the recommendations and advice contained therein.

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*Ardal
Gorllewin/
Area West*

**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**



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 JANUARY 2020
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

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

Applicant(s)	ROBERT HORSLEY, MANORFAN, FELINDRE, LLANDYSUL, SA44 5UG
Agent	CASTLE ARCHITECTURAL DESIGNS LTD-MATT EDWARDS, BANK HOUSE, 9 BRIDGE STREET, NEWCASTLE EMLYN, CARMS, SA38 9DX
Case Officer	Helen Rice
Ward	Llangelor
Date of validation	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).
- 3 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).

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

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

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

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

Use	Use Class	%	Description
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 ² on Level 0. Community library.
Cafe	A3	0.49%	18.6m ² on Level 0. Internal use, part of community library
Pharmacy	A1	3.42%	130.8m ² 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 ² 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 or 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:

Use	Use Class	Allocated %
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).
- 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 100m², 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
- 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.

Application No	W/39590
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Application Type	Full Planning
Proposal & Location	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

Applicant(s)	MRS DIANE LUCAS, PENRHIWSYCH, GLANTREN LANE, LLANYBYDDER, SA40 9SA
Agent	,
Case Officer	Helen Rice
Ward	Llanybydder
Date of validation	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).
- 3 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).

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

Applicant(s)	NICHOLAS COAKER, NICHOLAS COAKER, BLAENFFRWD FARM, TRAWSMAWR, CARMARTHEN, SA33 6EJ
Agent	,
Case Officer	Helen Rice
Ward	Cynwyl Elfed
Date of validation	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 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 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).

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

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

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PLANNING COMMITTEE

Thursday, 12 December 2019

PRESENT: Councillor A. Lenny (Chair)

Councillors:

S.M. Allen, J.M. Charles, I.W. Davies, J.A. Davies, P.M. Edwards, W.T. Evans, S.J.G. Gilasbey, J.K. Howell, J.D. James, C. Jones, D. Jones, H.I. Jones, M.J.A. Lewis, K. Madge, B.D.J. Phillips, G.B. Thomas and J.E. Williams

Also in attendance:

G. Morgan, Transport Planner with Atkins Framework

The following Officers were in attendance:

J. Edwards, Development & Built Heritage Manager
S. Murphy, Senior Solicitor
Z.A. Evans, Senior Technician (Planning Liaison)
J. Thomas, Senior Development Management Officer [South]
H. Rice, Development Management Officer
E. Bryer, Democratic Services Officer

Chamber, County Hall, Carmarthen. SA31 1JP. - 10.05 am - 12.15 pm

[Note: At 11:10 am the Chair adjourned the meeting for 15 minutes to seek guidance from the Senior Solicitor.]

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTERESTS

Name	Minute Number	Nature of Interest
Councillor Carys Jones	5 – Application W/38933 - Change of use of redundant outbuilding into one residential unit at building at Parc y Cnwc, Old School Road, Llansteffan, Carmarthen, SA33 5HA	Councillor Jones has a personal interest as the applicant is a close friend.

3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS

3.1 UNANIMOUSLY RESOLVED that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Planning and or reported at the meeting:-

E/38716	Reserved matters - Industrial unit, car parking and associated infrastructure works - W/33578 (variation of condition no. 3 of outline planning permission W/23782 approved 29/11/2012
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	(extension of time by 9 years from date of outline permission) at land rear of Continental Leisure, Heol Parc Mawr, Cross Hands, Llanelli, SA14 6RE
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3.2 UNANIMOUSLY RESOLVED that the following planning application be approved contrary to the recommendation of the Head of Planning, subject to departure notice and conditions to be drafted by the Head of Planning :-

E/39533	<p>An affordable, disability adapted bungalow, with separate agricultural store at land adjacent to Maesylylyn, Salem, Llandeilo, SA19 7NA</p> <p>The Local Member read out a statement on behalf of the applicant. During the time the statement was being read out, webcasting of the meeting was paused as the statement included personal information.</p> <p>Following discussions, it was resolved that the application be granted contrary to the Head of Planning's recommendation, on the basis:</p> <ul style="list-style-type: none"> • that the proposed development was in keeping with the style of existing buildings in the vicinity • that granting the application promoted rural life • supported equality and human rights • local need and social circumstances.
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4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS

4.1 UNANAMOUSLY RESOLVED that the following planning application be deferred to enable the Committee to undertake a site visit:-

S/38285	<p>Construction of a residential development of up to 210 units with associated landscaping and infrastructure works at land at, North Dock, Seaside, Llanelli, SA15 2LY</p> <p>A representation was received from the Local Member requesting that the Committee undertake a site inspection in order to view the potential impact on the highway and local amenities.</p> <p>REASON: To enable the Committee to view the proposed development to assess the impact on the highway and local amenities.</p>
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4.2 RESOLVED that the following planning applications be granted subject to the conditions detailed within the Report/Addendum of the Head of Planning and or reported at the meeting:-

S/39456	<p>37 residential dwellings (affordable) at land to the North of Tycroes RFC, Penygarn Road, Tycroes, Ammanford, SA18 3NY</p> <p>Representation was received from the Llenedi Community Council</p>
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	<p>objecting to the proposed development and re-iterating the objections detailed within the Head of Planning's report, with the main areas of concerns being:</p> <ol style="list-style-type: none"> 1. Scale of development 2. Development not within the LDP 3. Existing flooding /surface water issues 4. No demand for affordable housing in Tycroes <p>The Senior Development Management Officer and the applicant responded to the issues raised.</p>
S/39662	Detached garage at Clos Cae Derw, Llangennech, Carmarthenshire, SA14 8WF

5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS

RESOLVED that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Planning and or reported at the meeting:-

W/38933	<p>Change of use of redundant outbuilding into one residential unit at building at Parc y Cnwc, Old School Road, Llansteffan, Carmarthen, SA33 5HA.</p> <p>[Note – Cllr. C. Jones having earlier declared an interest in this item, left the Council Chamber prior to the consideration and determination thereof].</p>
W/39362	<p>Retention of extended hard standing adjacent to turbine T6 to be partially regraded, and the creation of minor lay-bys by way of introduction of 7 no. cattle grids at Alltwalis Wind Farm (Statkraft), Coedllwydion Road, Alltwalis, Carmarthen, SA32 7ED</p>

6. MINUTES OF THE MEETING HELD ON THE 14TH NOVEMBER, 2019

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on the 14th November, 2019 be signed as a correct record.

CHAIR

DATE

[PLEASE NOTE: These minutes reflect the order of business itemised on the agenda for the meeting which may differ from that on any webcast recording as applications with members of the public attending to speak would have been dealt with first.]

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