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WEDNESDAY, 19 MAY 2021

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING** OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD **AT 10.00 AM ON THURSDAY, 27TH MAY, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Janine Owen
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Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

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 Deryk Cundy | |
| 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 | |
| 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

SUBSTITUTES ARE TEMPORARILY ALLOWED UNTIL THE 30TH APRIL 2021

A G E N D A

- 1. APOLOGIES FOR ABSENCE**
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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 - ON 27/05/2021

**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:	27/05/2021
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE
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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/32703
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Application Type	Full Planning Permission
Proposal & Location	CONSTRUCTION, INSTALLATION AND OPERATION OF A SINGLE 100KW WIND TURBINE UP TO 47M TO TIP, ALONG WITH SUBSIDIARY INFRASTRUCTURE WHICH INCLUDES AN ACCESS TRACK AND A CONNECTION TO THE LOCAL ELECTRICITY DISTRIBUTION NETWORK AT PENCAU LANDS, NR LLWYNGWYN FARM, FELINGWM, CARMARTHEN, SA32

Applicant(s)	NORVENTO WIND ENERGY UK - MR TREVOR HOWE
Agent	ASBRI PLANNING LTD - ROBIN WILLIAMS
Case Officer	Paul Roberts
Ward	Llanegwad
Date registered	08/10/2015

Reason for Committee

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

Site

The application site consists of an irregular shaped parcel of land that forms part of a large field enclosure that is located in an isolated countryside location approximately 2.2 km to the north west of the village of Felingwm Uchaf and 2.5 km to the south west of Horeb. The village of Brechfa is located 5 km to the north east of the site. The field is bordered by existing hedgerows and access is achieved via an unsurfaced track that extends in a southerly direction from its junction with the C1256 to the north and runs contiguous with the eastern boundary of the field enclosure. There is a gated entrance onto the track in the south eastern corner of the field which, as well as providing vehicular access to the field, also provides access to a public right of way which crosses the field and follows the hedgerow on its southern boundary.

The site of the proposed turbine is centrally located within the field enclosure with additional areas having been included within the application site for access and grid connection purposes. The field consists of semi-improved grassland that is managed for hay or silage and slopes gently upwards towards its western boundary. It is situated at an altitude of 288 metres in an elevated landscape that is characterised by large areas of improved agricultural land bounded by hedgerows and interspersed by farmsteads and extensive tracts of woodland. There is a large area of wetland bog habitat immediately to the east of the site on the other side of the access track known as Pyllau Cochion Common which extends to some 12 hectares in area.

The nearest residential properties to the site are Pantycelyn and Pengoiallt which are located 440 metres to the north and 580 metres to the south east respectively. The property of Bryngoyallt is located 670 metres to the north east of the site while Brynmelyn and Ffos-y-Gaseg are located 670 metres and 730 metres to the north west respectively.

Proposal

Planning permission is sought for the erection of a three bladed horizontal axis wind turbine which will have an overall blade tip height of 48 metres. The turbine will have a hub height of 36 metres and rotor diameter of 24 metres. It is to have matt off-white colour. It is to be connected to the local electricity distribution network and have a rated power of up to 100kw. The turbine has a design life of 25 years.

The proposal will include the construction of an access track in the field enclosure that will have a typical width of 3.5 metres and consist of a crushed stone finish that will extend from the existing gated entrance up to the location of the turbine. The turbine itself will be set upon a hexagonal reinforced concrete foundation. Provision is also made for the installation of a cabinet in the field enclosure that will contain switchgear and electrical equipment to allow the turbine to be connected to the local electricity grid. It will be connected to the turbine via underground cabling. The unsurfaced access track leading to the site from the C1256 is to be improved as part of the proposal with the addition of a stone surface.

The application emphasises the renewable energy benefits of the proposal whereby it will contribute to reducing carbon emissions. In this regard, based upon the performance data for the turbine and local wind regime it is estimated that it will provide an annual generation output of approximately 262,800 kWh which is the equivalent to the domestic electricity consumption of 62 households. Furthermore, the applicant confirms that the proposal will be a form of farm diversification in that the income from the electricity generated will help support and sustain the viability of an existing farm enterprise.

The application has been accompanied by a suite of supporting documentation which include the following :

- Supporting statement.
- Traffic and transport assessment.
- Noise assessment.
- Access statement.
- Landscape and visual impact assessment
- Breeding curlew survey report.
- Bat mitigation and curtailment plan
- Landscape and biodiversity enhancement scheme.
- Historic environment desk-based assessment.

Planning Site History

There is no relevant planning history

Planning Policy

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

SP2 Climate Change.
SP11 Renewable Energy and Energy Efficiency
SP13 Protection and Enhancement of the Built and Historic Environment.
SP14 Protection and Enhancement of the Natural Environment
GP1 Sustainability and High Quality Design
TR3 Highways in Developments – Design Considerations
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
EQ4 Biodiversity
RE2 Local, Community and Small Wind Farms

National Planning Policy

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040](#), [Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Llanegwad Community Council – Have objected to the application, citing the following reasons :

- The proposal will have a direct impact upon the lowland bog habitat and heathland habitats of the nearby Pyllau Cochion common.
- Impact of the turbine upon birds and insects and in particular curlews using the area.
- Visual impact upon the landscape character of the area and the enjoyment of those visiting the nearby Pyllau Cochion common and using the adjacent footpaths and lane.
- The cumulative visual impact of the turbine with the currently approved and probable future applications give an industrial appearance to the area.
- The access leading to the site from the A40 is unsuitable for the large vehicles required to transport the turbine.
- Impact upon the health of local residents.
- The use of the area by MOD aircraft needs to be considered.

Local Member – County Councillor Mansel Charles is a member of the Planning Committee and has asked that the application be presented to the Planning Committee for consideration due to the numerous concerns raised by the Community Council and residents of the Llanegwad and Aberwili wards.

Head of Public Protection – Has raised no objection to the application subject to the imposition of suitable conditions relating to compliance with prescribed noise levels.

Head of Transport – Has raised no objection subject to the imposition of a suitable condition ensuring that the development is undertaken in accordance with the access plan submitted with the application.

Public Rights of Way Officer – Has raised no objection to the application whilst highlighting that the site is crossed by a public footpath.

Natural Resources Wales – Has raised no objection to the application.

Dyfed Archaeological Trust – Has raised no objection subject to the imposition of a condition securing the implementation of an archaeological watching brief during the construction phase of the development.

Civil Aviation Authority - Has raised no objection and provided general guidance in relation to the proposal.

Ministry of Defence – Has no objection to the application.

National Air Traffic Services - Has no objection to the application.

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

The application was publicised with the posting of site notices within the local area of the site with further site notices having subsequently been posted to publicise amendments to the proposal and the submission of additional supporting information. Some 23 letters of objection have been received which include multiple letters from a number of neighbouring properties, while 3 letters of support have also been received. The letters of objection raise the following issues of concern :

- The application has not been publicised correctly.
- The development is contrary to the advice contained in TAN8 which states that small wind turbine developments should be at a distance from each other and the perimeter of existing strategic search areas to avoid a cumulative impact and also be community based.
- Detrimental to the landscape character and visual amenity of the surrounding area.
- Unreliable noise assessment of the impact upon surrounding properties and the amenity of residents.
- Noise causing health problems.
- Proximity to new turbine approved at Bryn Bugail 1km from the site and the cumulative impact of the proposal with other turbines in the wider area. The proposal will also set a precedent for wind turbines every 1km.
- Inaccuracies in the landscape and visual impact assessment relating to the likely visibility of the proposal and other nearby consented or erected turbines.
- Lack of archaeological information.
- The land no longer forms part of the farm business and the proposal is not therefore a farm diversification project.
- Lack of cumulative noise assessment of the proposed turbine with that proposed nearby at Bryn Bugail.
- Negative impact upon the Pyllau Cochion wetland bog in terms of flora and fauna including the birds in the area such as curlews cuckoos, lapwings and ravens and red kites.
- Scale of turbine is out of keeping with the area.
- Disturbance and visual impact to neighbours.

- Devaluation of property prices.
- Detrimental impact upon holiday let cottages and businesses in the area.
- The turbine will be too close to the nearby access track and have a potential safety impact upon horses and riders using this track.
- Impact upon the Pyllau Cochion wetland bog which is an SSSI.
- Damage to the appearance of the area and the consequential impact upon tourism.
- Inadequate access to transport and erect the turbine and the likely disruption caused to residents and farming activities in the area.
- Too many turbines in the area.
- The turbine is in sight of another nearby turbine at Horeb cross roads as well as the Brechfa Forest turbines to the north.
- Impacts upon bats and birds of prey.
- Impact in terms of shadow flicker.
- Visual impact on the area when viewed from roads, footpaths and neighbouring properties.
- Renewable benefits will not outweigh the visual harm.
- The turbine will impact upon the setting and integrity of a conservation area or area of historic value.
- The location of the public footpath is incorrectly shown in the application.
- Possible vibrations from the turbine will dry out the peat in the neighbouring fields.
- Cumulative noise impact of the proposal with other turbines Horeb and the windfarms at Alltwalis and Brechfa.
- Unnecessary stress to cattle grazing the nearby fields in terms of noise and reflecting light off the blades of the turbine.
- Potential impact of the vibration from the turbine upon a nearby natural spring that provides a water supply for a neighbouring farm

The respondents who support the application have provided the following reasons for doing so:

- The proposal will contribute towards clean renewable energy generation.
- The proposal represents a form of farm diversification and the income it will provide will help support the existing farm business and provide economic benefits to the local area.

Appraisal

The principal issues in the determination of the application are discussed below.

Landscape and Visual

The visual impact of the turbine upon the surrounding landscape including its cumulative impact with other turbines and the effect on surrounding residential properties is a common ground of concern amongst respondents.

The application has been accompanied by a Landscape and Visual Assessment (LVA) which provides an assessment of the impact of the turbine upon the wider rural landscape as well as surrounding settlements and properties. It includes an assessment within the context of two existing operational wind farms that are located approximately 5-6 km to the north of the site at Alltwalis and Brechfa Forest West, as well as two single turbines

located within 5 km of the site. The latter consist of an operational turbine located to the east of Horeb some 2.8 km to the east of the application site and a consented turbine at Brynbugail Farm which is located approximately 1.1 km to the north east and has not been erected to date. The LVA is supported by Zones of Theoretical Visibility (ZTV's) and a number of photomontages that provide an indication of how the proposed turbine would be seen from chosen locations. It is of note that the site is not located within any nationally designated areas of special landscape interest or value nor is it located within any of the special landscape areas designated in the LDP.

The site lies within the Mynyddystyfflau carn LANDMAP visual and sensory aspect area and the LVA provides a cogent assessment of the impact of the turbine upon the landscape character of this area as well as 7 other aspect areas in the wider surrounding area which include the Mid and Lower Cothi Valley, and Brechfa Forest aspect areas.

In terms of the wider area, the LVA concludes that the turbine will not have a significant effect on the landscape character of the surrounding aspect areas by virtue of the distant and limited visibility of the turbine from within these areas with the latter being principally due to intervening topography and vegetation. Whilst there will be proximate southerly views of the turbine and the consented turbine at Bryn Bugail from a number of locations on the southern edge of the forested area in the Brechfa Forest AA, they would form part of long distance panoramic views from the edge of the forest whereby the turbines would not be prominent elements within these views. Having assessed the proposal in the context of its surroundings and having regard to the overall extent to which the turbine would be visible from these surrounding aspect areas, officers agree with the findings of the LVA in that the turbine will not have an unduly dominant or harmful effect on these aspect areas in landscape or visual terms.

The Mynyddystyfflau carn LANDMAP aspect area wherein the site is located is classified as an area of exposed grazed plateau consisting of open pastureland mostly enclosed with hedgerows as well as having some areas of unenclosed common land and woodland areas. The area enjoys attractive views both within and out of the area while having a scattered rural/farm settlement pattern and is evaluated as having a 'moderate' visual and sensory value. The erection of the turbine will inevitably result in changes to the local landscape character through the introduction of new manmade moving landscape elements. The significance of these changes in terms of the magnitude and extent of the effect has been assessed by officers in conjunction with the Authority's Landscape Officer.

The submitted ZTV's indicate that the turbine will potentially be visible across much of the Mynyddystyfflau carn aspect area within 3.5-4 km, however, these do not take account of the screening effects of minor topographical features and vegetation. The undulating nature of the topography and extent of boundary hedgerows and hedgebanks bounding the roadways in the area will mean that the extent to which the turbine will be visible in the area will be much more limited and interrupted. At locations close to and within the immediate area of the turbine, it will have a significant impact upon the landscape character whereby it would become a characteristic manmade feature in the landscape. However, the magnitude of the change in the landscape will diminish with increased distance whereby, based upon the photomontages provided and an assessment of the site and its surroundings, at distances of more than circa 1.5 km, where visible, it will be seen in wider more open views across the landscape wherein it will assimilate acceptably in terms of its scale and location. Having regard to the overall extent to which it would be visible within the surrounding area and the sensitivity of the receiving landscape, it is considered that the turbine will satisfactorily respect the surrounding agricultural and

woodland landscape and not have an unduly dominant or harmful effect. Moreover, it will not impact upon any designated areas of special landscape interest or value.

In terms of the cumulative visual impact, the nearest operational single wind turbine is located to the east of Horeb, approximately 2.8 km east of the application site which is of a similar size to that proposed and not in the immediate view. The separating distance and undulating landscape between both turbines will mean that they will be screened from each other with limited areas of combined visibility at a distance. The consented turbine at Bryn Bugail whilst not having been erected would be located 1.1 km to the north east of the site and to the north of the C1256. The turbine is again of a similar size to that proposed and whilst there will be a significant cumulative visual impact along the road that runs between both turbines whereby they would be seen in succession, views of both in the wider landscape would be intermittent given the screening effect of the undulating landscape, woodland areas and boundary hedgerows. Moreover, the modest heights of the turbines are such that they would not be overly dominant features in the landscape.

The operational wind farms at Alltwalis and Brechfa Forest West are located 6.5 km and 4.6 km to the north west of the site respectively and although the proposal will be seen in the context of these wind farms from areas of higher ground, the separation distances, intervening topography and vegetation and modest size of the turbine will safeguard against any unacceptable cumulative impact upon the wider rural landscape. It is noteworthy that the site is located on the southern edge of the Welsh Government's 'Pre-Assessed Areas for wind energy located within the County, as identified in their recently published development plan entitled 'Future Wales : The National Plan 2040' (February 2021). The Welsh Government has undertaken an assessment of these areas to provide certainty where, in principle, developments would be acceptable and there is therefore a presumption in favour of large scale wind energy development and the associated landscape change in these areas subject to compliance with Policy 18 of the Plan which relates to Renewable and Low Carbon Energy Developments of National Significance.

The proposal is not therefore considered to be at odds with the objectives of criterion a) and b) of Policy RE2 of the LDP in that it will not have an unacceptable impact on visual amenity or landscape character or have an unacceptable cumulative impact in relation to existing and consented wind turbines.

Turning to the potential visual impact upon existing settlements and residential properties, the nearest settlements of Horeb and Felingwm Uchaf are both located along the B4310 over 2 km to the east of the site. They are both located in a valley set well below that of the proposed turbine which, combined with the separating distances and intervening woodland areas will mean that they will have little if any visibility of the turbine.

There are a number of residential properties and farmsteads in the local area that are within closer proximity of the turbine with some of the occupiers of these properties having objected with regard to, amongst others, the visual harm upon their residential amenity.

The nearest properties to the turbine will be Pantycelyn and Pengoialt which are located 440 metres to the north and 580 metres to the south east of the site respectively. Pantycelyn is located on the northern flank of the C1256 being set down below the level of the road in an enclosed farmstead of farm and outbuildings. The dwelling itself is orientated in a south westerly direction which, combined with its position below the roadway and the boundary hedges that bound the road and the intervening field enclosures, will mean that the occupiers will not have a direct or pronounced outlook

towards the turbine. The curtilage of the property is partly enclosed by existing outbuildings and whilst the upper part of the turbine would be visible to the occupiers when outdoors in areas of the garden, particularly during the winter months when the trees and hedgerows are not in leaf, nonetheless the separating distance and elevated inclination of the views combined with the position of the turbine beyond the intervening hedgerows, would mean that it would not appear unduly prominent or distracting.

The property of Pengoiallt is set at a significantly lower level than the site on land that slopes in an easterly direction away from turbine. The topography of the land together with the intervening boundary hedges and trees will mean that the occupiers will only have limited visibility of the upper parts of the turbine which, given the separating distance of almost 600 metres, will not be pronounced or unduly dominant as to significantly harm current living conditions. The property of Bryngoyallt is located 670 metres to the north east of the site and has a large wooded area to the west that will provide a visual barrier to the turbine while Brynmelyn to the north west has a similar separating distance to the site and is orientated in a northerly direction away from the turbine. Whilst there are a small number of other properties in the surrounding area that are located a greater distance from site and will have a view towards the turbine, the separating distances involved and the screening effects of boundary trees and hedgerows would be such that it would not appear as a feature of such magnitude in the wider area as to unacceptably harm the existing living conditions of their occupiers.

In light of the foregoing, the proposed development is not considered to be in conflict with the requirements of criterion f) of Policy RE2 of the LPD in that it will not have an unacceptable visual impact upon the living conditions of residential properties in the locality.

Finally, in terms of the visual impact upon public roads and rights of way in the local area, the LVA indicates that significant changes in the view are unlikely to occur more than 0.75 km from the turbine given the medium sensitivity of motorists and the main A and B class roads in the locality are all located beyond this distance. Notwithstanding this, motorists on the local road network within the vicinity of the site such as the C1256 to the north of the site and the unclassified road to the east will have views towards the turbine, however, these will be limited and interrupted by the hedgebanks and trees that bound the roadways. It is of note that the Head of Transport has raised no objection to the visual impact of the turbine from a highway safety perspective.

The location of a public right of way within the field wherein the turbine is to be erected and in the local area to the south and west of the site will mean that those using these footpaths will have clear view of the turbine at relatively close quarters. However, beyond these the views from the wider rights of way network will diminish and be intermittent given the topography and presence of wooded areas and trees and hedgerows. The presence of the turbine will have a significant visual impact upon the amenity of those using footpaths close to the turbine, nonetheless this is not in itself considered to be a justifiable reason to refuse the application on policy grounds. Moreover, the turbine will not affect the current accessibility of the public right of way network in the local area and the public rights of way officer has raised no objection in this regard.

The proposal is therefore in accord with the objectives of criteria g) and i) of Policy RE2 in that it will not result in significant harm to road users or result in a reduction in the length or accessibility of existing footpaths and bridleways.

Ecology

A number of respondents have cited concerns regarding the ecological impact of the turbine with particular regard to the nearby wetland bog habitat at Pyllau Cochion common and bird populations in the surrounding area.

The ecological survey of the site found that it consists of semi-improved grassland that is of negligible ecological value and the loss of part of this grassland as part of the erection of the turbine and associated works will therefore result in no unacceptable ecological or biodiversity impacts. Furthermore, the site is not located within or close to areas that have statutory or non-statutory designations for biodiversity or nature conservation with the nearest designated site being the Mynydd Ystyfflau-Carn SSSI which is located 2.5km to the west of the site and will be unaffected by the proposal.

The application has been accompanied by a bat survey of the application site and immediate area which found low levels of bat activity at the site of the turbine in the field enclosure. There was a general increase in the level of activity around the periphery of the enclosure and nearby access track with these features being used for commuting and foraging. As a result of these findings, and following discussions with the Authority's planning ecologist, the applicant has submitted a bat mitigation and curtailment plan that will safeguard against any unacceptable impact upon bat populations in the area of the turbine. In essence, the curtailment plan will restrict the turbine speed for periods before dusk and dawn between June – October when bats are active, while the turbine will not be operational at low wind speeds during the above period. The Authority's ecologist has confirmed her support of the bat mitigation measures proposed which will be secured via the imposition of a suitably worded condition. NRW has also raised no objections in this regard.

As to the impact of the turbine upon local bird populations, a breeding bird survey has been provided in support of the application with this subsequently being supplemented by a curlew survey report following discussions with the Authority's planning ecologist. The surveys found that the habitat in the field enclosure of the site is suitable in parts for breeding birds such as skylark, while breeding curlew which are currently in decline throughout the UK were found to be present in the locality of the site in very low numbers. The survey recommends that the risk of disturbance to breeding skylark and other ground nesting birds will be avoided by ensuring that construction activities associated with the erection of the turbine are undertaken outside the nesting season during the months of March to August.

The curlew survey confirms the presence of suitable nesting and breeding habitat within the local area of the site, particularly the nearby Pyllau Cochion common with its exposed wet heath habitat. It indicates that the erection of wind turbines in areas of occupied curlew habitat does have a significant effect on breeding success when it takes place in the active breeding season in that birds are potentially disturbed and discouraged from returning in following seasons. However, there is no evidence to show that populations are affected by turbines when construction works take place outside the breeding season and, on this basis, the report recommends that the construction works take place outside this period which will be between mid-February and mid-July. The Authority's ecologist has accepted the findings and recommendations of both bird surveys and any permission granted is to be conditioned in accordance with her advice and will prevent any construction works within the site between mid February and the beginning of September. This will safeguard against any unacceptable impact upon nesting and breeding birds in the local area.

Despite the turbine's proximity to the Pyllau Cochion common, it will have no detrimental impact upon its mix of raised bog, wetland heath and grassland/scrub habitats. In addition, and in accordance with the planning ecologist's advice, the proposal will provide a landscape and biodiversity enhancement scheme that will include the management of the grassland in the field by increasing its sward length to increase its biodiversity value, as well as providing a monitoring scheme of the use of the landscape and habitats surrounding the site by Curlews over a three year period.

The proposal will not therefore result in any unacceptable biodiversity or ecological impacts and is in accord with the objectives of Policy EQ4 and criterion d) of Policy RE2 of the LDP.

Noise and shadow flicker

With regard to the potential noise impact of the turbine, the noise assessment provides an analysis of the effect of the turbine upon residential properties within the local area of the site including those closest to the turbine, both alone and cumulatively with the existing operational turbine located to the east of Horeb and the consented turbine at Bryn Bugail. The existing windfarms at Alltwalis and Brechfa West are located in excess of 4.5 km from the site whereby they are sufficiently distant so as to not have a cumulative impact in association with the new turbine proposed.

The assessment indicates that the turbine will comply with ETSU-R-97² guidelines which have been endorsed by the Welsh Government as providing guidance on good practice in relation to the specific noise issues associated with wind turbine development. Noise levels at surrounding properties will be limited to less than 35 dBLA90 at all wind speeds up to 10ms⁻¹ at 10m above ground level which will safeguard against any unacceptable impact upon current living conditions. The predicted cumulative noise level at the residential property of Bryn Bugail will exceed this level at 40.6dB LA90 on the basis of its proximity to the previously consented turbine within its land holding, nonetheless this level falls within the permitted level of 45 dBLA90 set out in the guidelines for dwellings with a financial interest in a wind development. Moreover, it is of note that the owner of Bryn Bugail has confirmed his support of the proposed turbine.

The Head of Public protection has confirmed his acceptance of the findings of the applicant's noise assessment and raised no objection to the application subject to the imposition of suitable conditions limiting the level of noise to those referred to above. These will be imposed on any permission granted.

Shadow flicker has also been raised as an issue of concern by a number of the respondents. Whilst it can have an impact upon nearby properties in an arc northwards from east to west of a turbine, it has been shown to have little impact beyond 10 rotor diameters of the turbine. The turbine has a rotor diameter of 24 metres and any shadow flicker would therefore only occur within 240 metres of the turbine. There are no properties within this distance of the turbine and the proposal will therefore have no unacceptable impact in this regard.

The proposal is therefore in compliance with the requirements of criterion f) of Policy RE2 of the LPD in that it will not have an unacceptable noise or shadow flicker impact upon the living conditions of the occupiers of surrounding properties.

Transportation and Highway Safety

The traffic and transport assessment accompanying the application provides an appraisal of the highway impacts of the delivery of the turbine to the site and the construction phase of the development. It confirms that the modest scale of the turbine will mean that it will not involve any abnormal loads, highway alterations or other traffic management measures normally associated with the construction of large scale wind turbines. The materials, plant and turbine components will predominantly be delivered to the site via standard articulated lorries that will be able to negotiate the local road network without the need for widening or improvement works other than the surfacing of the track that leads to the site from the C1256.

The Head of Transport has raised no objection to the application and is satisfied that the proposal will not cause any unacceptable disruption on the local road network or cause any detriment to highway safety. The proposal is not therefore in conflict with the highway safety objectives of Policy TR3 and criterion i) of Policy RE2 of the LDP.

Historic Environment

A number of respondents have opined that the proposal will impact upon the setting of an area of historic value while reference is also made to the lack of archaeological information in support of the application. An historic environment assessment of the development has been provided in response to comments received from Dyfed Archaeological Trust given the presence of a number of historic assets within a 2-3 km radius of the site. These include the Crug-Y-Burgail Bronze Age barrows located to the north east of the site and the scheduled Parc Y Gaer Iron Age fort to the south west.

The assessment confirms that the development could potentially have a direct impact upon two former 19 century cottages and further Bronze Age archaeological remains in the area of the site and on the basis of these findings, Dyfed Archaeological Trust have recommended that an archaeological watching brief of the site be undertaken as part of the groundworks of the development. They recommend a suitable condition securing the submission of a written scheme of investigation for the watching brief prior to the commencement of the development. Any permission granted will be conditioned in accordance with their advice thereby ensuring that the development will not unacceptably impact upon any archaeological remains as required under the provisions of criterion e) of Policy RE2 and Policies SP13 and EQ1 of the LDP.

Other Matters

With regard to the other matters raised by the respondents, concerns that the application has not been publicised correctly are misjudged in that the original application and subsequent amendments to the development have been publicised with the posting of site notices within the local area of the site and the publication of a notice in the local press.

Concerns have been raised regarding the impact of the turbine upon the health of local residents, however no further information or medical evidence qualifying the nature or type of impact have been provided. Whilst the presence of the turbine and views towards the new structure will result in some amenity impact upon surrounding properties, the extent of the change will not be of such a level as to unacceptably compromise the normal day to day living conditions of their occupiers.

The Ministry of Defence and National Air Traffic Services have confirmed that they both have no objection to the proposal from a flight safety perspective. Moreover, there is no evidence to suggest that the erection of the turbine will impact upon a nearby spring that serves a neighbouring farm, or cause unacceptable harm to the welfare of livestock grazing nearby fields. Concerns regarding the impact upon existing holiday and tourism accommodation in the area have been addressed in the appraisal above wherein it is concluded that the turbine will not have an unacceptable impact upon the living conditions of properties in the area surrounding the site.

Finally, a number of respondents have opined that proposed turbine no longer forms part of a farm business and does not therefore represent a form of farm diversification as suggested in the documents supporting the application. The site previously formed part of the land holding of Llwyngwyn Farm located approximately 1.2 km to the south west of the site when the application was originally received and the supporting information confirms that the income generated by the turbine will help support the family farming business. The land has since been sold to a third party by the original landowner, however, the family continue to farm the land wherein the turbine is to be erected under a leasehold agreement while also retaining a financial interest in the turbine. They have confirmed that they currently run a 100 acre agricultural holding that is located approximately 4 km to the east of the site and that the income generated by the turbine will help to support this farming enterprise whereby it would represent a form of farm diversification.

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, together with the representations received, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy.

The development will provide benefits in the generation of renewable energy and contribute to the national planning policy objective set out in Planning Policy Wales of maximising renewable energy generation in Wales and reducing carbon emissions. These benefits outweigh the localised visual impact upon the landscape character and public right of way network within the immediate area of the turbine, while its location and modest scale will ensure it will assimilate into the wider rural landscape and not result in any unacceptable visual impacts. Moreover, the turbine will not impact upon any designated

areas of special landscape interest or value, or unacceptably harm the living conditions of the occupiers of surrounding residential properties.

There are no nature conservation, biodiversity or highway safety objections to the proposal while any archaeological interest of the site environs will be safeguarded as part of the development. Where potential impacts have been identified, these will be mitigated by appropriate management proposals which will be secured by planning conditions. Furthermore, the proposal will help to financially support an existing farming enterprise.

On balance the proposal is considered acceptable and accordingly approval is recommended.

Conditions and Reasons

Condition 1

The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.

Reason:

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

Condition 2

The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-

- Turbine hub height elevation (Figure 5 Version V1)
- 1:50 scale turbine foundation elevation drawing (V1)
received on 30 June 2015
- Breeding bird and vantage point survey (July 2015)
received on 20 July 2015.
- Traffic and transport statement referenced E05032
received on 29 July 2015
- Access statement
received on 21 September 2015
- Block plan (01 Rev 1)
received on 6 April 2016
- Breeding curlew survey report (BS16.07/Norvento/Pencau/Carms)
received on 1 December 2017
- Landscape and biodiversity enhancement scheme
received on 12 October 2018
- Update to landscape and visual impact assessment (June 2020)
- Updated appendix B – viewpoint analysis (June 2020)
- Photomontages (1 of 3) (June 2020)
- Photomontages (2 of 3) June 2020)

- Photomontages (3 of 3) June 2020)
- LVIA 1 – LANDMAP, Visual and Sensory (Version V2.0)
- LVIA 6 – Landscape designations, visual receptors and open access land (Version V1)
- LVIA 9 10km CZTV – Pencau Lands, Rhosfach and Bryn Bugail (Version V1) received on 6 July 2020
- Updated noise report (October 2020) received on 6 November 2020
- Historic environment desk-based assessment (REPORT NO. 2020-57) received on 7 December 2020
- Bat mitigation and curtailment plan received on 16 March 2021
- Site location plan (Figure 1 Version V1) received on 10 May 2021

Reason:

In the interest of clarity as to the extent of the permission.

Condition 3

No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.

Reason:

To protect historic environment interests whilst enabling development.

Condition 4

During the construction phases of the development, no works or construction shall take place other than within the hours of 08:00 – 18:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays.

Reason:

To safeguard the living conditions of the occupiers of surrounding properties.

Condition 5

To prevent any demonstrable harm to the amenity of residents, the rating level of noise immission from the wind turbine (including the application of any tonal penalty) should not exceed a sound pressure level not exceeding 35dB LA90, 10 mins, within the amenity space of any non-financially involved lawfully existing dwelling, between cut-in wind

speeds and the wind speed corresponding to the turbines maximum sound power level, measured to a height of 10m.

Reason:

To safeguard the living conditions of the occupiers of surrounding properties.

Condition 6

To prevent any demonstrable harm to the amenity of any residents residing at any noise sensitive properties, the cumulative rating level of noise immission from the wind turbines (including the application of any tonal penalty) should not exceed 35 dBLA90, 10 min as measured 3.5 meters from the façade of any noise sensitive property at any time, up to and including on-site wind speeds of 10 m/s at 10m height.

Reason:

To safeguard the living conditions of the occupiers of surrounding properties.

Condition 7

To prevent any demonstrable harm to the amenity of any residents residing at a financially involved noise sensitive premise, the cumulative rating level of noise immissions from the wind turbine (including the application of any tonal penalty) should not exceed 45dB LA90,10min as measured 3.5 meters from the site facade of any financially involved noise sensitive property at any time, up to an including on site wind speeds of 10m/s at 10m height.

Reason:

To safeguard the living conditions of the occupiers of surrounding properties.

Condition 8

Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise imissions from the wind turbines at the complainant's property following the procedures described in ETSU-R-97 "The Assessment and Rating of Noise from Wind Farms".

Reason:

To safeguard the living conditions of the occupiers of surrounding properties.

Condition 9

In the event that the operational turbine subsequently develops an audible tone, then a penalty shall be added to the measured sound levels in accordance with ETSU-R-97. This condition only applies where no tone has been identified at the assessment stage and no penalty applied.

Reason:

To safeguard the living conditions of the occupiers of surrounding properties.

Condition 10

During the course of the investigation, should the wind turbine be identified as operating above the parameters specified in conditions 5, 6 and 7 above, the wind turbine will be modified, limited or shut down. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified in the conditions.

Reason:

To safeguard the living conditions of the occupiers of surrounding properties.

Condition 11

The delivery of the turbine and construction works shall be carried out strictly in accordance with the details contained in the Traffic & Transport Assessment and Access Assessment referenced E05032 received on 29 July 2015 and Access statement received on 21 September 2015.

Reason:

In the interests of highway safety.

Condition 12

The turbine hereby approved shall be operated strictly in accordance with the details contained in the Bat mitigation and curtailment plan received on 16 March 2021.

Reason:

To ensure there is no detriment to the maintenance of the favourable conservation status of Bat species.

Condition 13

The construction works associated with the development hereby approved shall only take place during the period between 1 September and 15 February in any one year.

Reason:

To ensure there is no detriment to breeding skylark, curlews and other ground nesting birds.

Condition 14

The development hereby approved shall be implemented strictly in accordance with the mitigation and enhancement measures contained in the landscape and biodiversity enhancement scheme received on 12 October 2018.

Reason:

To secure the implementation of biodiversity mitigation and enhancement measures as part of the development.

Condition 15

No development shall commence until details of the dimensions and design of the 'LV Cabinet' and constructional details of the proposed new access track shown on the Block plan (01 Rev 1) received on 6 April 2016 have been submitted to approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

In the interests of visual amenity.

Condition 16

The permission hereby granted shall be for a period of 25 years from the date when electricity is first exported to the national grid. The date of first generation shall be notified in writing by the developer to the Local Planning Authority within 14 days of first export.

Reason:

In the interests of visual amenity

Condition 17

No later than 12 months before the expiry of this permission (or within 3 months of the cessation of electricity production if for any reason the scheme ceases to produce electricity before the end of lifespan stated.), a scheme for the decommissioning and removal of the wind turbine and any other ancillary equipment and structures relating solely to the wind turbine shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details for the restoration of the site and shall be implemented within 3 months of the date of its approval by the Local Planning Authority. If for any reason the scheme is implemented in full or in part and does not produce electricity within 12 months of commencement, the decommissioning requirements above shall be triggered.

Reason:

In the interests of visual amenity

Notes / Informatives

Note 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.

Note 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	E/40650
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Application Type	Approval of reserved matters
Proposal & Location	DEMOLITION OF SCHOOL AND RESIDENTIAL DEVELOPMENT OF 6 NO DWELLINGS, DETAILED DESIGN OF THE SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING OF THE DEVELOPMENT AT NANTYGROES CP SCHOOL, MILO, LLANDYBIE, AMMANFORD, SA18 3NZ

Applicant(s)	SHIRE HOMES (CARMS) LTD
Agent	NICOLE JONES ARCHITECT
Case Officer	Helen Rice
Ward	Llanfihangel Aberbythych
Date registered	04/06/2020

Reason for Committee

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

Site

The application site consists of the disused school building and surrounding land associated with the former Nantygroes primary school in Milo. The disused school lies at the north-eastern edge of the village and consists of a large school building with a number of ancillary buildings/structures; there are a number of residential dwellings immediately opposite and immediately adjacent to the application site. The site does not at present have a vehicular access directly onto the adjacent highway (C2145); access to the school is via a gated access at the north eastern boundary of the site off an unadopted rear lane.

The boundary to the north of the site is made up of mature hedgerow; the eastern boundary is a mixture of hedgerow and walling and fencing; the southern boundary which abuts the main road consists of a sloping masonry wall with hedging on top, the remaining western boundary consists of stone walling. The site is relatively flat and measures approximately 0.449Ha in area.

Proposal

The development includes the provision of 6 dwellings on the site set in a cul-de-sac arrangement with access achieved directly from the adjacent classified highway. Two, two storey properties are to be sited fronting onto the highway with the remaining four dwellings to the rear and arranged to front onto the internal estate road.

Planning Site History

E/34580

DEMOLITION OF EXISTING SCHOOL TO BE REPLACED WITH A RESIDENTIAL DEVELOPMENT OF 7 NO. 2 STOREY DWELLINGS TOGETHER WITH AN ON SITE BAT ROOST STRUCTURE

Outline Granted 19/04/2017

E/29221

PROPOSED DEMOLITION OF FORMER NANTYGROES CP SCHOOL BUILDING, KITCHEN AND ALL OUTBUILDINGS (EXCEPT BUILDING NO 1)

Demolition notification Granted 15/01/2014

E/28872

RE-SUBMISSION OF OUTLINE PLANNING APPLICATION E/27873 DEMOLITION OF EXISTING SCHOOL TO BE REPLACED WITH A RESIDENTIAL DEVELOPMENT OF 5 NO. 2 STOREY DWELLINGS

Withdrawn 21/05/2014

E/27873

OUTLINE PLANNING APPLICATION TO REPLACE THE DISUSED SCHOOL WITH APPROXIMATELY 5 NO 4 BEDROOM DWELLING HOUSES

Withdrawn 09/04/2013

Planning Policy

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

SP1 Sustainable Places and Spaces

SP14 Protection and Enhancement of the Natural Environment

GP1 Sustainability and High Quality Design

GP2 Development Limits

H2 Housing within Development Limits

TR3 Highways in Developments- Design Considerations

EQ4 Biodiversity

EP2 Pollution

REC2 Open Space Provision and New Developments

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government

Summary of Consultation Responses

Head of Transportation & Highways - No objections subject to the imposition of conditions to secure appropriate visibility splays, footways, access road, parking and turning areas.

Land Drainage – the site is not within a flood risk area and a SAB application will be required.

Llanfihangel Aberbythych Community Council - No observations received to date.

Local Member(s) - Councillor Cefin Campbell, whilst not objecting to the development perse, has raised concerns over the privacy of the adjoining property due to proximity of dwellings to the boundary. In particular he states that 'Am Byth' will be severely compromised if a house was built in close proximity to their boundary. Cllr Campbell has suggested a suitable condition to ensure ample space between the proposed dwellings is achieved and that no side windows would be provided. Further, Cllr Campbell raises queries from local residents regarding whether the visibility splays are sufficient.

Natural Resources Wales – initial raised objections to the scheme on grounds that the bat mitigation measures agreed at the Outline stage were proposed to be changed and this was not acceptable. The application has since reverted back to the original bat mitigation measures, (i.e. the creation of a dedicated bat roost building to the rear of the site). NRW has raised concerns that no mention of use of the existing materials in the existing roost is referred to in the submitted documentation as well as the need for lighting details.

Dwr Cymru/Welsh Water – has no objections to the development subject to a condition to ensure that no surface water/land drainage shall be connected into the public sewerage network. Oh

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 notice. 5 no. representations were received objecting to the development on the following grounds:

- The scale of the proposed dwellings had substantially increased since the outline application resulting in a cramped form of development;
- The dwellings would tower over neighbouring bungalows and dormer bungalows;
- Development would result in overlooking and overshadowing
- All dwellings should be bungalows only
- 6no. large family properties will change the village which is predominately occupied by elderly/retired people
- Insufficient garden areas
- No facilities for children to play and there are no facilities within the village
- The development would affect the peaceful nature of the village
- Insufficient parking provision for each house is provided;
- Concerns from professional bodies need to be addressed;
- Insufficient visibility splays
- Development would generate demand for on-street parking
- Demolition of the building will require significant traffic movements 7 days a week and will cause congestion and disturbance
- Road currently is heavily trafficked with vehicles sometimes having to mount verges when agricultural vehicles and school buses pass

- Surface water should not be allowed to enter highway drainage as it would result in flooding of properties and the Council would be liable to claims against it.
- Additional drainage from the site will affect neighbouring properties;
- Flooding from the site onto neighbouring properties already occurs and developer must take steps to ensure that this no longer occurs
- Development would have an impact on wildlife
- Concerns that any digging down into the site would make the school wall unstable and unsafe

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

Appraisal

The application is for consideration of the reserved matters only (access, appearance, scale, layout and landscaping) with the principle of a residential development of two storey dwellings having already been approved at the outline stage. As such, the main considerations of this case relates to the now known details of the proposed dwellings and their impact upon the character and appearance of the area, living conditions of nearby residents along with highway, biodiversity and drainage impacts.

Impact upon character and appearance of the area

The village of Milo has a mixed character of dwellings including a number of bungalows, dormer bungalows and two storey properties of varying age and design. The principle of two storey properties on the site was established at the Outline stage. Whilst it is acknowledged that bungalows occupy the plots either side of the application site, there are other two storey properties within the vicinity and as such, it is not considered that the addition of two storey properties would be so at odds with the wider character of the village to warrant an objection on such grounds. Furthermore, it has been demonstrated that the overall height of the proposed dwellings would be similar to the height of the existing/former school building. In terms of concerns raised about overly cramped development, the proposal now before you has reduced the total number of dwellings to that originally indicated at the Outline planning application stage (down from 7) to enable a more spacious plot layout.

A number of objectors have commented that the style of properties being detached family units would change the character of village, however there are already a number of larger family style properties within the village and in any event the development would serve to create a mixed community which is to be encouraged. In terms of design, it is acknowledged that the properties would have a more modern design approach, however through the use of materials which complement existing materials used on other properties within the buildings it is not considered that the overall appearance would detract from the varied character of the village. The proposal is therefore considered to comply with the principle design criteria of Policy GP1 of the LDP.

Impact on the living conditions of neighbouring properties

The presence of two storey dwellings adjacent to existing bungalows has the potential to impact upon the living conditions of existing residents which has evidently been raised as a concern by those objecting to the development. However, the proposal has sought to address this impact through appropriate siting and design of the dwellings. In particular,

the front two dwellings (Plots 1 & 2) are set at least 9m from the side boundaries of the site. Therefore whilst they would be higher than the neighbouring dwellings, it is considered that the significant distance between the existing bungalows and proposed front two dwellings (14m wall to wall) provides sufficient separation to accept the transition from single storey to two storey properties. Furthermore, no windows serving habitable rooms are proposed on the side elevations of Plots 1 & 2 which face onto the neighbouring properties.

Turning to the plots to the rear of the site; Plots 3 & 4 are proposed to front onto the internal cul-de-sac road, with their rear elevations facing the site's side boundaries which adjoin the side boundary of the adjacent properties known as "Am Byth" and "Marley Lodge". Plot 3 adjacent Marley Lodge, would for the most part be situated, at its nearest 8m wall to wall and opposite the side elevation of Marley Lodge. Due to the design for this plot, no windows serving habitable rooms are proposed along the first floor rear elevation. As such it is not considered that this plot would have an unacceptable impact on the neighbouring property in terms of overlooking or overshadowing. Similarly, Plot 4, which is of the same design albeit handed, would be located along side the side garden boundary of "Am Byth". The dwelling would be situated 7m at its nearest to the side boundaries of the respective neighbouring properties and again would not have any windows serving habitable windows on the upper floors and as such, again, it is not considered that this would result in a level of overlooking or overshadowing to the extent to have a detrimental impact upon the living conditions of neighbouring properties. It is however noted, that Plots 3 & 4 have upper floor side windows serving bedrooms which would face Plots 1 & 2 and 5 & 6 which could give rise to concerns over overlooking. It is therefore recommended that a condition is imposed to require these windows to be obscure glazed.

Lastly, Plots 5 & 6 are located to the rear of the application site and again proposed to front onto the cul-de-sac road, with the rear of plot 5 facing the side boundary of Marley Lodge's rear garden area with Plot 6's rear elevation looking out over the adjacent field area. Plot 5 evidently has potential to create overlooking into the rear garden area of Marley Lodge, however, the property has been set back from the boundary by at least 8m. There are however windows serving habitable rooms on this rear elevation and therefore to avoid concerns over loss of privacy these windows are recommended to be obscure glazed.

It is recognised that the addition of 6 dwellings on the site will inevitably have an impact upon the living conditions of neighbouring properties in comparison to the existing situation being a vacant former school site, however, having regard to the specific design and siting of the dwellings as proposed it is considered that the impacts are minimised to an acceptable level and as such the proposal is considered to comply with Policy GP1 of the LDP.

Highway Impacts

The proposal includes the creation of a new access onto the classified road leading into the site which has been designed to an adoptable standard with a 5m wide carriageway and 1.8m footpaths either side of the road and in front of the application site itself. This proposal has been reviewed by the Council's Highway Department who are satisfied with the proposal from an access perspective subject to the imposition of their stated conditions. The concerns raised by objectors regarding achieving adequate visibility splays has been secured and therefore there are no concerns raised in relation to the safety of the proposed access. With regards the internal arrangement, each dwelling is afforded its

own 3 car parking spaces which is the maximum standard required for dwellings of this scale. The parking is provided via integrated garages and parking within the plot for each dwelling. A condition imposed at the Outline stage confirms that all parking provision is not to be obstructed by non-motorised vehicles. Given the provision, there are no concerns in relation to the development generating demand for on-street parking as raised by objectors. Furthermore, due to the design of the internal road, sufficient turning and manoeuvring for vehicles is provided to again avoid manoeuvring on the highway which could give rise to highway safety concerns. The proposal is therefore considered compliant with highway standards and Policies GP1 and TR3 of the LDP.

Biodiversity Impacts

Whilst details of the proposed bat mitigation measures were agreed in general under the previous outline planning permission, the current application includes the proposed detail of those measures which include the provision of a dedicated bat house in the northern corner of the site as previously agreed at the outline stage. Whilst initially due to potential access issues there was some uncertainty over the provision of the bat house, those matters have since been addressed and the details that have been put forward have been accepted by Natural Resources Wales. However, NRW have indicated that further information regarding external lighting and assurance regarding the utilising of materials from the existing bat roost is required. To this end, two conditions are recommended to ensure that these details and assurances are provided prior to the commencement of development. As such the proposal is considered to comply with Policy SP14 of the Carmarthenshire Local Development Plan 2014.

Drainage

A number of objectors have raised concerns regarding existing flooding occurring from the site and the impact this development would have upon potential exacerbation of that flooding. The application has included drainage details that set out options for dealing with the surface water. A separate application to deal with the drainage elements is to be considered. Nevertheless, the drainage department has reviewed this application and has not raised any objections to date.

Planning Obligations

A S106 agreement relating to the biodiversity impacts was agreed to at the Outline stage.

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 has been appropriately designed to ensure that it would not detract from the character and appearance of the area nor have a detrimental impact upon the living conditions of neighbouring residents. Suitable access, parking and turning areas are provided to not give rise to any highway safety concerns and appropriate mitigation measures have been incorporated to avoid significant impacts on bats. Matters relating to drainage are acknowledged and will be the subject of further subsequent consideration by the Sustainable Drainage Approval body. The proposal is therefore considered to comply with policies SP1, SP14, GP1, H2, TR3, EQ4 and EP2 of the Carmarthenshire Local Development Plan 2014 and is therefore recommended for approval subject to the following conditions:

Conditions and Reasons

Condition 1

The development shall be commenced before whichever is the later of:-

- a) the expiration of five years from the date of the outline planning permission to which this development relates; or
- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

Condition 2

The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:

- 1:500 scale Block Plan [19-486-A1] received 19 November 2020
- 1:500 scale Site Access Plan [2019 – 505a SK01] received 18 April 2020
- 1:100 scale Floor Plans (Plots 1 & 2) [19-486-1] received 18 April 2020
- 1:100 scale Elevations (Plots 1 & 2) [19-486-2] received 18 April 2020
- 1:100 scale Floor Plans (Plots 3 & 4) [19-486-3] received 18 April 2020
- 1:100 scale Elevations (Plots 3 & 4) [19-486-4] received 18 April 2020
- 1:100 scale Floor Plans (Plots 5 & 6) [19-486-5] received 18 April 2020
- 1:100 scale Elevations (Plots 5 & 6) [19-486-6] received 18 April 2020
- 1:1250 and 1:200 scale Proposed Site Sections [B-1] received 26 May 2020
- 1:100 and 1:50 scale Proposed Bat Roost Plans [1493-07] received 19 November 2020
- Ecological (Bat) Survey Report July/August 2019 received 19 November 2020

Reason:

To ensure that the development is implemented in accordance with the approved details.

Condition 3

Prior to the commencement of development a detailed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Details of the siting and type of external lighting to be used, including any measure to control light spill
- Drawings setting out light spillage (in lux) in key sensitive areas (E.g. around the bat house, in vegetated corridors leading from it to the site boundary, and on suitable habitats just beyond the site boundary)
- Details of lighting to be used both during construction and operation

The development shall thereafter be carried out strictly in accordance with the approved scheme.

Reason:

In the interests of biodiversity in accordance with Policy SP14 of the Carmarthenshire Local Development Plan 2014.

Condition 4

Notwithstanding the details provided within the submitted ecological surveys, the compensatory roost shall utilise and re-use materials from the existing roosts, and details of this provision shall be included in an addendum to the ecological report that shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any development.

Reason:

In the interests of biodiversity in accordance with Policy SP14 of the Carmarthenshire Local Development Plan 2014.

Condition 5

The following first floor windows shall be obscure glazed and maintained as such thereafter:

- Plots 1 and 2 –side elevation window serving ensuite
- Plots 3 and 4 –side elevation windows serving Ensuite and Bedroom 1, and rear elevation windows serving Ensuite and Bathroom
- Plot 5 –rear elevation window serving bedrooms 2 and 3

Reason:

To protect the living conditions of existing neighbouring residents and future residents of the development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Notes / Informatives

Note 1

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Note 2

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.

Note 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).

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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 – ON: 27/05/2021

**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:	27/05/2021
REPORT OF:	HEAD OF PLANNING

INDEX-AREASOUTH

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PL/01427	DOUBLE STOREY EXTENSION TO SIDE OF DWELLING AT 67 PONTARDULAIS ROAD, TYCROES, AMMANFORD, SA18 3QA	59

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/00588
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Application Type	Reserved Matters
Proposal & Location	Reserved Matters application for 13 No Dwellings and associated Discharge of Conditions 4, 5, 6, 7, 8, 9, 10, 11 and 12 pursuant to Outline permission (Ref: S/36817) - Land at the former NRW National Laboratory Service, Pen Y Fai Lane, Furnace, Llanelli, SA15 4EL

Applicant(s)	Clews Homes
Agent	Geraint John Planning Ltd – Luke Grattarola
Case Officer	Zoe James
Ward	Hengoed
Date registered	20/10/2020

Reason for Committee

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

Site

The application site comprises the former Natural Resources Wales (NRW) laboratory situated off Pen Y Fai Lane, Llanelli. The site is roughly rectangular in shape and measures 0.83ha. The site benefits from existing access from Pen Y Fai Lane in the south eastern corner.

It is understood that the site has been vacant since closed by NRW and their laboratory functions moved. The site includes a main building and ancillary buildings, previously used for offices and laboratory facilities, garages and stores, situated in the northern part of the site. Centrally within the site is a landscaped area with trees and planting leading to areas of car parking to the south. A number of mature trees are located within the site and on the boundaries. The site slopes from north to south.

The site is bordered by Pen Y Fai Lane to the east, which provides the main vehicular access to the site from the south eastern corner. A secondary gated access is presently located at the north eastern corner of the site. A stone wall runs along between the site and Pen Y Fai Lane, which acts as a retaining wall at the central part of the site. To the north, west and south the site is bordered by residential properties and their respective gardens. Properties to the south and west fronting Cwmbach Road are situated at a lower level to the application site. The area surrounding the site is predominantly low-density residential development, the majority of nearby properties being detached dwellings and having large curtilages.

The site is not allocated within the Local Development Plan for any purpose but is located within the defined development limits of Llanelli. The site is identified in the forthcoming Revised Local Development Plan (2018-33) for residential development.

Proposal

The application is a reserved matters submission following outline planning permission granted in March 2019 for demolition of existing building, residential development including access, drainage, car parking, open space, landscaping and associated engineering operations. The application includes details of all reserved matters, access, appearance, landscaping, layout and scale.

The application also seeks to discharge a number of pre-commencement conditions attached to the outline planning permission, including ecological design scheme, scheme for eradication of invasive species, assessment of trees for bat potential, construction environmental plan, surface water drainage scheme and landscaping scheme.

The proposal involves residential development of 13 dwellings, comprising two-, three- and four-bedroom properties. The properties are a mix of detached and semi-detached properties. The property mix proposed is as follows:

- 2 x two-bedroom semi-detached dwellings;
- 1 x three-bedroom semi-detached dwelling;
- 8 x four-bedroom detached dwellings;
- 2 x five-bedroom detached dwellings.

Two of the dwellings will be affordable units alongside an additional financial contribution to meet the requirements of LDP Policy AH1 and comply with the obligations of the legal agreement attached to the outline planning permission.

The original submission involved 15 dwellings. However, following detailed review of the site alongside the topography and requirement for retaining structures this has been amended and the scheme reduced to 13 dwellings.

The layout of the development seeks to work with the existing topography of the site and existing landscape features, the majority of the existing mature trees within the site and on the site boundaries are to be retained. Vehicular access to the development is to be achieved via the existing vehicular access at the south eastern corner of the site from Pen Y Fai Lane. An area of Public Open Space (POS) is proposed alongside the internal access road and will form a focal point of the development. The existing large mature tree located fairly centrally within the site is to be retained as part of the development and will be at the north eastern edge of the area of POS. This will include grassed and landscaped areas as well as a footpath to enable pedestrian movement through the site. The location of the POS will ensure high levels of passive surveillance from the surrounding houses.

Plots 1-3 are proposed to be accessed off a shared drive in the south western corner of the site. Plots 4-10 and 12-13 are then accessed off the main internal estate road with plot 11 via a separate private drive along the north of the site adjacent to plot 10. Plots 1 and 11 face north with a rear south elevation, with plots 2-9 fronting the internal access road in an easterly direction with rear gardens towards the western site boundary. Plot 10 faces west and plots 12-13 face south. All dwellings have a dedicated driveway and car parking to the front or side of the property. Some dwellings have garages located to the side and some have integral

garages. Private garden areas are provided to the rear of the houses, with the exception of plot 1 where the garden is predominantly to the side of the dwelling

The houses will have traditional pitched roof designs some with front gables and elevations consisting of a mix of render, facing brick and stone cills with black rainwater goods and black or grey windows and doors and slate roof. The design seeks to reflect the character of the area while at the same time creating visual interest and variation in the street scene. Interest and variation are also provided through the different house types proposed and arrangement of properties, garages and parking particularly to the east of the site.

Parking within the scheme is provided via a mix of solutions that include garaging facilities and side and front driveways. The change in levels across the site will require retaining wall features in areas of the development while some houses located in the western part of the site have raised rear decking areas with steps leading down to gardens.

The reserved matters submission has been accompanied by a detailed landscaping scheme which provides for the retention of the existing landscape features within the site and along the site's perimeter as far as possible as well as the implementation of new planting frameworks within the central area of open space and the site's eastern boundary. New wildflower and woodland meadow planting are proposed throughout the POS and the south eastern boundary. Robust planting treatments including new tree planting are also provided throughout the development and boundary treatment measures are to consist of a mix of new hedgerows, brick walling and timber fencing.

Revised plans have been submitted during the course of the determination of the application making amendments to the design of a number of plots, notably plots 1-3 in terms of re-positioning of plot 1 and removal of rear balconies from these dwellings.

The submission has been accompanied by a range of supporting information which includes the following:

- Planning Statement;
- Ecological Design Scheme
- Tree Survey
- Drainage Strategy
- Japanese Knotweed Management Plan
- Construction Environmental Management Plan
- Vehicular Trip Comparison Report
- Site Investigation Report
- Landscape Management Plan

The site is located within Zone A as defined under Technical Advice Note (TAN) 15: Development and Flood Risk (2004) whereby it is considered to be at little or no risk of fluvial or tidal flooding. The submitted Drainage Strategy report sets out a strategy to dispose of surface water run-off from the development using soakaways, rain gardens, permeable paving and infiltration basins. The strategy sets out all highway run off and run off from certain plots, comprising an area of 1,770sq m impermeable catchment will be discharged to the infiltration basin. This is proposed to be situated in the POS and will comprise storage volume of 95m³ volume. The report confirms this is sufficient to accommodate the 1 in 30-year return period, with an additional 30m³ storage volume provided in the POS to accommodate the 1 in 100 year +30% return period. All other run off from rooftops or areas of hardstanding will discharge to domestic soakaways, permeable paving or individual rain gardens. The report

advises a SAB pre-application will be submitted to determine the detailed drainage design. It is proposed that all SuDS components serving multiple properties will be adopted and maintained by Carmarthenshire SAB team.

In terms of foul drainage, the initial investigations propose constructing a new adoptable foul sewer to serve the dwellings and connect to the existing DCWW combined sewer within the site.

The Ecological Design Scheme submitted with the application seeks to prevent there being any long-term impacts on protected species populations present at the site and within the surrounding area. It seeks to provide sufficient information to discharge condition 6 attached to the outline planning permission and follows previous surveys and reports submitted as part of the outline application. The report confirms the updated survey supports findings of the earlier surveys suggesting individual or small numbers of bats. As such, proposed compensation and mitigation measures are proposed in detail within the scheme including bat boxes on dwellings and trees and void space within garages and utilisation of bat friendly lighting.

The Japanese Knotweed Management Plan submitted confirms a site survey has been undertaken and one stem of Japanese knotweed was visible. The plan identifies a strategy for treating the knotweed and treatment schedule. Submission of the plan seeks to discharge condition 7 attached to the outline permission. However, the report does not detail any investigations into Montbretia, also referred in condition 7.

The Vehicular Comparison Report submitted reviews the vehicular trips associated with the previous use as a laboratory and offices and the proposed for residential use, including the timing of such trips. The report concludes that the site could be developed for up to 26 privately owned houses without exceeding the traffic flows associated with the existing use of the site.

The Construction Environment Management Plan accompanies the submission in order to discharge condition 9. It sets out the management measures to be utilised to minimise environmental impact from the construction phase of the development.

The Site Investigation Report submitted with the application demonstrates how potential risks identified from contaminated land can be addressed. The investigation and report have demonstrated that elevated concentrations of arsenic, beryllium, lead and low-level PAH's have been found during the supplementary sampling exercise. However, the report proposes remedial options to address this.

A Tree Survey, Arboricultural Report alongside a detailed Soft Landscape Scheme has also accompanied the submission, as required by condition 12 of the outline planning permission. This demonstrates the existing trees located on site alongside, trees required to be removed to facilitate the development and new landscape features proposed. A Landscape Management Plan has also been provided detailing the future management and maintenance arrangements at the site.

Planning Site History

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

S/36817 - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND PROPOSED RESIDENTIAL DEVELOPMENT, INCLUDING ACCESS, DRAINAGE, CAR PARKING, OPEN SPACE, LANDSCAPING AND ASSOCIATED ENGINEERING OPERATIONS - Outline Granted 28/03/2019

LL/02698 - TEMPORARY SITING OF ONE PORTAKABIN FOR OFFICE USE. THE UNIT WILL BE USED TO RE-HOUSE STAFF DURING BUILDING REFURBISHMENT AND PENDING RE-LOCATION TO ANOTHER SITE - Full Granted - Committee 12/12/2002

LL/01618 - DEMOLITION OF EXISTING SINGLE STOREY PREFABRICATED BUILDINGS. EXTENSION OF PENYFAI HOUSE AND SPATIAL RE-ALLOCATION OF OFFICES/LABORATORIES, INCLUDING RE-LOCATION OF SIX EXISTING FUME CUPBOARDS - Full Granted - Committee 07/08/2002

S/00069 - TEMPORARY SITING OF TWO PORTAKABINS FOR OFFICE/LABORATORY USE FOR A PERIOD OF 18 MONTHS - Full Granted - Committee 28/06/1996

D5/16127 - EXTENSION TO THE FRONT OF EXISTING OFFICES - Full Granted - Committee 24/02/1994

D5/14600 - EXTENSION REQUESTED FOR FURTHER 18 MONTHS ON CONTRACT FOR TEMP. SITING OF TWO PORTACABINS - Full Granted - Committee 31/03/1994

Planning Policy

In the context of the Authority's current Development Plan the site is located within the Development Limits of Llanelli and is not allocated for any use in the adopted Local Development Plan (LDP). Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces

SP2 Climate Change

SP3 Sustainable Distribution- Settlement Framework

SP5 Housing

SP6 Affordable Housing

SP9 Transportation

SP14 Protection and Enhancement of the Natural Environment

SP16 Community Facilities

SP17 Infrastructure

GP1 Sustainability and High Quality Design

GP2 Development Limits

GP3 Planning Obligations

GP4 Infrastructure and New Development

H1 Housing Allocations

AH1 Affordable Housing

TR2 Location of Development- Transport Considerations

TR3 Highways in Developments- Design Considerations

EQ4 Biodiversity
EQ5 Corridors, Networks and Features of Distinctiveness
EQ6 Special Landscape Areas

EP1 Water Quality and Resources
EP2 Pollution
EP3 Sustainable Drainage

REC2 Open Space Provision and New Developments

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales](#) (PPW) Edition 11, February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

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

Public Rights of Way Officer - No observations to make on the application.

Valuations Manager - No observations received to date.

Llanelli Rural Council – Object to the application on the basis it will have a detrimental impact on highway safety, the lane is unsuitable to carry out highway improvements and has poor visibility. In addition, the land and surrounding area suffers from localised flood water running off nearby fields. The proposal will exacerbate the situation during heavy periods of rainfall.

Local Member(s) - Councillor Penny Edwards has not commented to date.

Local Member(s) - Councillor Susan Phillips has not commented to date.

Natural Resources Wales – confirm information submitted is sufficient to discharge conditions 6, 8 and 9 of outline permission ref. S/36817.

Dwr Cymru/Welsh Water - confirm information submitted is sufficient to discharge conditions 10 and 11 of outline permission ref. S/36817.

Coal Authority – site does not fall in Development High Risk Area so standing advice applies.

Sustainable Drainage Approval Body (SAB) – SAB approval is required for the proposal. Further information is required to be submitted to at least standard required by new SuDS legislation in order to discharge condition 10 of outline permission ref. S/36817.

Environmental Health Contaminated Land – submitted information is satisfactory subject to condition. Further information has been provided on ground gases as requested and comments on this are outstanding.

Environmental Health Noise – recommend conditions imposed in relation to construction hours.

Environmental Health Air Quality – recommend that the developer gives consideration to the provision of electric charging points where parking is provided, or at the very least infrastructure that would allow electric vehicle charging points to be installed at some point in the future.

Public Health – advise submitted Construction Environmental Management Plan detailing dust mitigation measures is suitable and should be adhered to throughout construction process. Upon completion of construction period condition 9 can be fully discharged.

Forward Planning – highlights LDP policies of relevance and requirement to comply with Memorandum of Understanding (MoU).

Housing Service – confirm ward of Hengoed is an area of high housing need and sets out standards for new affordable units.

Landscape Officer – reviewed the scheme and been in detailed discussion with the agent. Further details have been provided and are in the process of being reviewed in connection to root protection area of retained trees to ensure no adverse impact. Subject to this being resolved the Landscape Officer is satisfied that the submitted information is sufficient to enable approval, compliance, monitoring and enforcement.

Planning Ecology – confirm the submitted information is satisfactory in relation to ecological matters associated with conditions 6, 8, 9 and 12 of outline permission S/36817. However, no information has been provided in relation to Montbretia as required under condition 7. This is required in order to discharge this condition.

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, site notice and publication in the local newspaper.

Numerous representations were received, 20 objecting (many neighbours submitted more than one written objection) and 1 commenting the matters raised are summarised as follows:

- 13 units is overdevelopment for the site and at odds with character and appearance of surrounding area.
- Number of dwellings has increased, can this increase further at a later date? Is the impact on drainage, flooding and water pressure considered?
- Intensification of development will have adverse impact on highway safety.
- Concerns regarding overlooking and loss of privacy.
- Development would have an adverse impact on amenity of surrounding residents.
- Change in levels result in development being overbearing on adjacent properties.
- Proposal would be visible due to raised level.
- Highway safety concerns
- Lane only has single access route not suitable for additional traffic proposed by the development.
- Increase in traffic will compromise safety and result in additional accidents.

- Vehicle trip comparison report does not consider how narrow Pen Y Fai Lane is.
- Increase in traffic will result in noise and air quality pollution.
- Density of surrounding properties has not been considered.
- 2-bedroom properties are not in keeping with type of existing development in the area.
- Concern over surface water run off into properties to south of site at lower level. Existing problem with surface water run off now during period of heavy rain.
- Concern over position of infiltration basin and position.
- Construction period will be very disrupting for neighbouring properties.
- Piled foundations proposed are inappropriate given proximity to neighbouring properties and noise/damage caused by this.
- Previous use of the site was only during daytime, residential use will result in permanent increase in noise levels throughout day and night and change character of the area.
- Will TPOs be implemented on trees shown to remain?
- Original tree survey identified many surrounding trees to be diseased and dangerous and to be removed, current application suggests preservation of trees.
- Who will be responsible for maintenance of trees on proposed footpath?
- Trees should not be removed just to provide a view from the site.
- Impact on ground water following loss of trees on site.
- There is existing wildlife and habitat on site which will be damaged as part of construction.
- Bats utilising existing building on site.
- Over 350 new homes were built at Stradey Park, is further development needed?
- Residential units to the north at Maengwyn and Brynmefys are under occupied and would be better to redevelop with services already in place.
- Land ownership concern and encroachment over right of way.
- Site is located in area of high Council tax.
- Development will affect value of nearby homes.
- Site could be used for more appropriate accommodation such as retirement complex.
- Planning permission refused for one new dwelling due to highway safety concerns, proposal would be 15 times worse.
- Adjacent properties should be visited to appreciate impact on them.
- Unhappy that were not directly consulted upon amended plans.
- If a footpath were proposed along the proposed development and Penyfai Lane this would be a great benefit to the community.

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

Appraisal

Principle of development

Planning permission for residential development has previously been granted via outline application reference. S/36817 in March 2019. As such, the principle of residential development has been previously accepted at the site. In terms of the current application,

this seeks to gain consent for reserved matters relating to access, appearance, layout, landscaping and scale at the site. In policy terms, the site is located within the defined development limits identified within the Adopted Local Development Plan (LDP), where new residential development is supported subject to compliance with other relevant policies. Furthermore, the site is proposed to be allocated for residential development in the Deposit version of the Revised Local Development Plan (2018-2033).

Impact upon character and appearance of the area

Concerns have been raised by neighbouring properties in relation to the development being out of keeping and of greater density than surrounding development. It is acknowledged that the majority of properties at Pen Y Fai Lane and adjoining the site are large, detached dwellings with substantial curtilages. The proposed development involves 13 new dwellings, all to be detached with the exception of three terraced townhouse style properties. The majority of the dwellings are 4/5 bedroom properties, of varying style and design. All proposed dwellings benefit from their own private driveway and rear garden.

In terms of the density of the proposed development, the outline permission granted did not specify total number of units. The submission showed an indicative layout of 10 dwellings, albeit this was not fixed at this stage. The current proposal for 13 dwellings at the site, represents a proposed density of 15.6 dwellings per hectare. Although the current LDP does not specify densities, the supporting text to LDP Policy H1 refers to an initial standard of 30 dwellings per hectare being applied to growth areas. The submission refers to the lower density being proposed to reflect the constraints of the site and also the existing character of Pen Y Fai Lane. In addition, the number of dwellings has been reduced slightly since submission of the reserved matters application, from 15 to 13 taking account of the site's topography.

The site layout has been designed taking account of the topography and where possible to retain existing trees on site. An area of Public Open Space is proposed within the site to seek to retain a natural area of greenspace for the benefits of residents and help the proposed development respond to the site's setting within Pen Y Fai Lane. The submitted landscape scheme seeks to help reduce the impact of development on the existing landscape and the retention of the majority of mature trees along the site boundary help to retain the established character and setting of the existing site.

The proposed development comprises a mix of 6 different houstypes to introduce variety within the site. The use of consistent materials, including render, brick and stone cills with black rainwater goods, grey/black UPVC windows and doors and slate roof, will help to ensure a harmonised and coherent development. Boundaries between gardens is largely proposed to be 1.8metre close boarded fence. Further detail is requested via condition on boundary treatment measures between the site and adjacent properties to the west.

Landscape and Visual Impact

Numerous concerns have been raised regarding loss of trees on the site and the impact this will have on the character of the area and also privacy implications. The submitted Tree Survey identifies that the majority of trees on the perimeter of the site will be retained with those identified to be in a poor condition to be removed. Otherwise, a mixed group within the centre of the site are required to removed and one on the western boundary of the site to deliver the proposed development, along with poor quality trees. Only three category B (moderate quality) trees are proposed to be removed, with the others identified for removal

being category C (low quality) or category U (unsuitable for retention). The majority of existing trees along the site boundaries are to be retained and help to retain the wooded character of the site.

The Authority's Landscape Officer has reviewed the scheme and been in detailed discussion with the agent on the impact on existing trees and also the proposed landscape scheme. Further details have been provided in connection to root protection area of retained trees to ensure no adverse impact. Subject to this being resolved the Landscape Officer is satisfied that the submitted information is sufficient to enable approval, compliance, monitoring and enforcement.

Privacy Impacts

Many objections received relate to loss of privacy arising as a result of the proposed development. Given the position and topography of the site and surrounding area, the site occupies an elevated position to the majority of existing dwellings situated along its south and western boundaries. Plot 1 is the only dwelling situated on the southern boundary, the orientation of this is designed to face north with the main rear garden situated to the west of the dwelling. The positioning and design of the dwelling has been reviewed and amended over the course of the application and no longer includes a balcony. Windows to the first-floor rear elevation will be obscure glazed to ensure no loss of privacy to neighbouring property. At the closest point the dwelling is approximately 20 metres to no. 17 Pen Y Fai Lane. The existing boundary hedge/vegetation is proposed to be retained. Additional sections were requested to view the impact and ensure there is no significant loss to amenity of no. 17 Pen Y Fai Lane by way of loss of privacy. A condition is also proposed to secure further details of the boundary treatment measure along the southern elevation of the site.

The site orientation and layout results in plots 2-9 backing onto the western boundary. Plots 2 and 3 are situated in closest proximity to properties fronting Cwmbach Road. The rear garden of plot 2 measures from between 7.8 to 15 metres in length, with the separation distance between plot 2 and 2A Cwmbach Road measuring 34.8metres. However, it is acknowledged due to land levels, the proposed dwelling will be situated at higher level than no. 2A Cwmbach Road. As shown on the proposed site layout and landscape plan, a number of existing trees alongside new planting will help to screen the development. A condition is also proposed to secure further details of the boundary treatment measure along the western elevation of the site. In addition, the proposed garden for plot 2 also slopes down at a gradient of 1:12 resulting in the boundary with no. 2A being some 5 metres lower than the finished floor level of the dwelling. The original plans submitted for plots 1, 2 and 3 included balconies on the rear elevation of the dwellings facing to the west. However, following review of the plans and in discussion with the agent, plots 1-3 have all been amended with the balconies removed from the plans and Juliette balconies now proposed. As a result, the potential for overlooking is reduced by the removal of the physical balconies with floorspace protruding from the rear elevation.

Plots 4-9 follow a similar position and siting along the western boundary, albeit it is acknowledged there are a number of existing trees on the site boundary and outside the site which are proposed to be retained and provide suitable screening between the proposed new dwellings and existing properties along Cwmbach Road. It is also acknowledged these properties benefit from deeper gardens resulting in a greater separation distance to the new dwellings.

The layout and arrangement of the proposal, subject to conditions on vegetation and boundary treatment measures is not considered to result in a significant loss of privacy to neighbouring properties to warrant refusal of the application.

Biodiversity Impacts

Condition 6 of the outline planning permission required submission of an Ecological Design Scheme for the site in line with the preliminary surveys submitted at that time. An Ecological Design Scheme prepared by Wildwood Ecology has accompanied the application. The scheme seeks to prevent there being any long-term impacts on protected species populations present at the site and within the surrounding area. The report includes proposed compensation and mitigation measures for any bats within the site. Natural Resources Wales have reviewed and advised that the information is sufficient to discharge condition 6 of the permission. Planning Ecology are satisfied with the information submitted in relation to condition 6.

Bat surveys were also required to be undertaken on all trees identified to be removed, under condition 8 of the outline planning permission. A Tree Survey/Assessment was provided with the application which identified all trees to be removed had potential roosting features of low potential. On the basis of this information, NRW confirmed no objection to the discharge of condition 8. Planning Ecology are also satisfied with the information submitted in relation to condition 8.

A detailed scheme for the eradication of Invasive Species (Japanese Knotweed and Montbretia) has also been submitted as required by condition 7 of the outline permission. During the site survey one stem of Japanese knotweed was visible. The submitted plan identifies a strategy for treating the knotweed and treatment schedule. Planning Ecology are satisfied with the information provided in relation to Japanese Knotweed. However, no details are provided in relation to Montbretia, as such the condition will remain.

In summary, there are not considered to be ecological concerns which prevent determination of the reserved matters permission at this time, subject to conditions.

Highway Impacts

Highway safety concerns have been raised in many of the objections received, predominantly relating to access to the site via Pen Y Fai Lane being unsuitable to accommodate additional traffic associated with the proposed development. The application, as per the outline application, has been supported by submission of a Vehicle Trip Comparison Report to demonstrate the vehicle movements associated with the previous use of the site for an office/laboratory and the relevant movements associated with the proposed development. The report demonstrates that the site could be redeveloped for up to 26 dwellings without exceeding the traffic flows associated with the existing use of the site. On this basis, the Authority acknowledges that the extant use at the site results in a more intensive use of the existing access and Pen Y Fai Lane and the development proposal is considered in this context.

The existing access is proposed to be utilised albeit this is proposed to be widened to an adoptable standard. In addition, a proposed 1.8metre wide footway is proposed from the edge of Pen Y Fai Lane into the application site.

The submitted reports and engineers' plans have been reviewed by the Highway Authority who have also undertaken discussions directly with the developers and are satisfied with the proposed access and internal site access road arrangements. Highways have informally advised the submitted information is sufficient, with formal comments to be received shortly.

In addition, it is worthwhile noting the outline application is subject to a £45,000 contribution toward the improvement of pedestrian links outside of the red line application site.

Flood Risk Implications

A further common ground of objection is belief that the development will exacerbate existing surface water flooding problems within the area. The application site is located within Flood Zone A on Natural Resources Wales Development Advice Maps. However, many neighbours have raised concerns regarding existing surface water run off problems experienced at present following heavy rainfall. Given the topography of the site and surrounding area there are concerns the residential redevelopment of the site will increase existing problems.

The application has been supported by a Drainage Strategy for the proposed development. This confirms that an acceptable SuDS strategy can be implemented at the site to deliver the betterment required as part of the Memorandum of Understanding (MoU) and also to improve the existing situation. Conditions 10 and 11 of the outline planning permission relate to drainage at the site and require further details to be submitted. Dwr Cymru Welsh Water have confirmed the submitted information is sufficient for them to recommend discharge of conditions 10 and 11 of the outline permission. The Authority's SAB team has reviewed the proposals in detail and highlight the requirement for the applicant to submit an application for SAB approval. In light of the new legislation and requirements for SAB approval, further details are required in order to meet the statutory standards. On this basis, condition 10 of the outline planning permission remains outstanding and the applicant will be required to submit and achieve full SAB approval prior to commencement of development. Therefore, the concerns regarding surface water drainage at the site are considered to be adequately covered by condition attached to the outline planning permission and separate legislation.

Other Matters

In terms of the other matters raised the site notices for the planning application were displayed on 12 November 2020. The notices were displayed slightly later than the neighbour notification letters were issued due to impact of Covid-19 on undertaking site visits. Nevertheless, full statutory consultation period has been provided and further re-consultation has also taken place with neighbours following revised plans submitted. Comments in relation to redevelopment of nearby Brynmefys estate instead or redevelopment of the subject site for alternative residential accommodation are not relevant and the LPA must consider the proposal which has been submitted.

The issues raised by the respondents in respect of the Council Tax banding and depreciation of property value are not material in the consideration of the application.

Concern has been raised by a neighbour in relation to the right of way over land within the site access. This was raised during the determination of the outline planning application and permission granted. As the site location plan and site area are as per the outline permission this is considered satisfactory to proceed with the reserved matters application. Nevertheless, the matter has been passed onto the Authority's legal department for review now as part of the determination of the current reserved matters application.

Planning Obligations

The outline planning application was subject to contributions in relation to Highway improvements, affordable housing provision, on site public open space and education contribution.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, together with the representations received to date, it is concluded on balance that, the proposal represents an acceptable form of residential development that will respect the site and the general character and appearance of the surrounding area. The site has outline planning permission for residential development, is located within development limits and its development complies with the key policy and sustainability objectives of the Authority's adopted Local Development Plan and National Planning Policy.

The general scale, design and layout of the scheme seeks to respect the character and appearance of the surrounding area whilst working within the site's constraints. The development will provide a range and choice of housing types and sizes that will be well related to the existing services and facilities in Furnace and the wider Llanelli areas. As secured under the outline permission, the development will also secure a range of community benefits in the local area which will include the provision of affordable dwellings and an area of open space as well as contribution to existing education facilities and local highway improvements.

Highways have informally advised the submitted information is sufficient, with formal comments to be received shortly. DCWW are satisfied with the drainage details, in line with new separate drainage requirements the Authority's SAB team require further details in relation to drainage, this is covered by the SAB approval process and also under conditions on the outline permission. Further information has been provided to demonstrate compliance with the Memorandum of Understanding. It is therefore considered that there are no sustained highway, amenity or utility service objections to the development.

Conditions and Reasons

Condition 1

The development shall be commenced before whichever is the later of:-

- a) the expiration of five years from the date of the outline planning permission to which this development relates
or
- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

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

Condition 2

The development hereby permitted shall be carried out strictly in accordance with the following plans and documents:-

- Site Location Plan scale 1:1250 (drawing no. 2495-00(03)100) received 10 February 2021;
- Proposed Site Plan scale 1:500 (drawing no. 2495 - 00(03) 101 Rev L) received 13 May 2021;
- Engineering Appraisal (drawing no. 2495 - 505 Rev E) received 13 May 2021;
- Site Sections A-A and B-B (drawing no. 2495 - 506 Rev B) received 13 May 2021;
- Site Sections F-F,G-G and H-H (drawing no. 2495 - 508 Rev C) received 13 May 2021;
- Drainage Strategy Plan (drawing no. 2495-500 Rev D) received 13 May 2021;
- House Type B – Proposed Floor Plans (drawing no. 2495 - 03(03) 201 Rev B) received 10 February 2021;
- House Type B – Proposed Elevations (drawing no. 2495 - 03(03) 301 Rev B) received 10 February 2021;
- House Type B – Perspectives (drawing no. 2495 - 03(03) 501 Rev B) received 10 February 2021;
- House Type C – Plot 1 Proposed Floor Plans (drawing no. 2495 - 04(03) 207 Rev D) received 8 March 2021;
- House Type C – Plot 1 Proposed Elevations (drawing no. 2495 - 04(03) 306 Rev D) received 8 March 2021;
- House Type C – Plot 1 Perspectives (drawing no. 2495 - 04(03) 506 Rev D) received 8 March 2021;
- House Type D – Plot 2 - Proposed Floor Plans (drawing no. 2495 - 09(03) 210 Rev A) received 5 May 2021;
- House Type D – Plot 2 - Proposed Elevations (drawing no. 2495 - 05(03) 309 Rev B) received 5 May 2021;
- House Type D – Plot 2 - Perspectives (drawing no. 2495 - 05(03) 508 Rev A) received 5 May 2021;
- House Type D – Plot 3 - Proposed Floor Plans (drawing no. 2495 - 08(03) 209 Rev A) received 5 May 2021;
- House Type D – Plot 3 - Proposed Elevations (drawing no. 2495 - 08(03) 308 Rev B) received 5 May 2021;

- House Type D – Plot 3 - Perspectives (drawing no. 2495 – 08(03) 507 Rev A) received 5 May 2021;
- House Type E –Floor Plans (drawing no. 2495 – 10(03) 211 Rev A) received 3 March 2021;
- House Type E – Elevations (drawing no. 2495 – 10(03) 310 Rev A) received 3 March 2021;
- House Type E – Perspectives (drawing no. 2495 – 10(03) 509 Rev A) received 3 March 2021;
- House Type 421 & 532 – Proposed Floor Plans (drawing no. 2495 - 01(03) 205 Rev B) received 10 February 2021;
- House Type 421 & 532 – Proposed Elevations (drawing no. 2495 - 01(03) 305 Rev A) received 10 February 2021;
- House Type 421 & 532 – Perspectives (drawing no. 2495 - 01(03) 505 Rev A) received 10 February 2021;
- Tree Removal and Retention Plan scale 1:750 received 17 May 2021;
- Planning Statement prepared by Geraint John Planning received 7 October 2020;
- Tree Survey prepared by RTAC Trees Revision 2 received 17 May 2021;
- Drainage Strategy Note (reference. 2495-DSN01) prepared by Spring Design received 7 October 2020;
- Detailed Soft Landscape Plan pages 1-4 (drawing no. edp6530_d001i) prepared by the Environmental Dimension Partnership received 14 May 2021;
- Ecological Design Scheme (reference. WWE20176 Rev A) prepared by Wildflower Ecology received 3 March 2021;
- Japanese Knotweed Management Plan (reference. TT60096) prepared by Taylor Total Weed Control received 7 October 2020;
- Construction Environmental Management Plan (reference. JP/CEMP/ /REV 0) prepared by Clew Homes received 7 October 2020;
- Vehicular Trip Comparison Report prepared by Cotswold Transport Planning received 30 October 2020;
- Site Investigation Report (reference. 12674/GNS/20/SI) prepared by Integral Geotechnique received 11 November 2020;
- Landscape Management Plan (reference. edp6530_r001e) prepared by The Environmental Dimension Partnership Ltd received 14 May 2021.

Reason:

In the interest of clarity of the approved plans and visual amenity.

Condition 3

During the demolition and construction phases, no works or demolition or construction shall take place other than within the hours of 7:30 – 18:00 Monday – Friday, 08:00 – 14:00 on Saturdays and not at all on Sundays, Bank or Public Holidays. As the proposed development is situated in a predominantly residential area, it is recommended to minimise noise disturbance that the construction work be undertaken in compliance with BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Noise and Vibration and/or its subsequent amendments.

Reason:

In the interest of residential amenity.

Condition 4

The development shall be carried out in strict accordance with the remediation options identified within the Site Investigation Report (report no. 12674/GNS/20/SI) prepared by Integral Geotechnique and received by the Local Planning Authority on 9 November 2020. If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Site Investigation Report' then a revised remediation strategy shall be submitted to the Local Planning Authority.

Reason:

To ensure the appropriate mitigation work is carried out for potential risks from contaminated land.

Condition 5

The development shall be carried out in strict accordance with the Ecological Design Scheme (document ref. WWE20176 Rev A). The proposed compensation and mitigation features referred at section 4 of the report shall be carried as specified and physical measures and bat boxes installed shall be retained thereafter.

Reason:

In the interests of biodiversity and in order to ensure that there is no detriment to the maintenance of the favourable conservation status of Bat species.

Condition 6

The development hereby approved shall be carried out in accordance with the document Construction Environmental Management Plan (reference. JP/CEMP/ /REV 0) and shall be implemented during all stages of demolition and construction.

Reason:

To prevent the pollution of the environment and ensure adequate dust mitigation measures are in place.

Condition 7

The surface water removal and betterment referred to within the Drainage Strategy Note (prepared by Spring Design reference. 2495-DSN01) shall be fully implemented and secured prior to the first occupation of the development.

Reason:

To ensure the development achieves compliance with the Memorandum of Understanding (MoU) and required betterment is achieved.

Condition 8

Prior to the commencement of construction work, details of the site's southern and western boundaries shall be submitted and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed before occupation of the first dwelling and retained thereafter, unless otherwise agreed in writing with the Local Planning Authority. he boundary treatment

Reason:

In the interests of privacy.

Condition 9

The development shall be carried out in strict accordance with the Detailed Soft Landscape Plan pages 1-4 (drawing no. edp6530_d001i). All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variations, and thereafter shall be retained in perpetuity.

Reason:

In the interest of visual amenity.

Condition 10

Prior to the beneficial occupation of the dwelling hereby approved the bathroom and the ensuite windows (as shown on the Proposed Floor Plan drawing no. 2495 - 04(03) 207 Rev D) located on the first floor of Plot 1 – House Type C be fitted with obscure glazing to a minimum of level 5 on the Pilkington index of obscurity. The obscure glazing shall then be retained in that condition thereafter in perpetuity.

Reason:

In the interest of privacy and residential amenity.

Condition 11

The roof area to the rear of plots 2 and 3 (house type D) shall not at any time be used as a storage area, balcony, roof garden or similar amenity area.

Reason:

In the interest of privacy and residential amenity.

Condition 12

No development shall take place (including any ground works or site clearance) until a detailed scheme for the eradication of the Invasive Species Montbretia (present on the site) has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved scheme.

Reason:

To ensure that invasive species within the site is dealt with in an acceptable manner.

Notes / Informatives

Note 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.

Note 2

The required planning contributions in respect of the development have been secured with the applicant entering into a Section 106 agreement as part of outline planning permission ref. S/36817.

Note 3

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 the Council's Highway Officer, Landscape Officer, Planning Ecology, Sustainable Drainage Approval Body (SAB), Natural Resources Wales, Coal Authority and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.

Application No	PL/01427
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Application Type	Householder Planning Permission
Proposal & Location	Double storey extension to side of dwelling at 67 Pontardulais Road, Tycroes, Ammanford, SA18 3QA

Applicant(s)	MR ANTHONY THOMAS
Agent	ROBERT HIGGINS
Case Officer	Zoe James
Ward	Tycroes
Date registered	19/03/2021

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 comprises a detached property located on Pontardulais Road, Tycroes. The site occupies a road fronted plot with access lane to the east to property situated to the rear. To the west and south the site borders existing residential dwellings and their amenity areas, to the north the site is bordered by A483 Pontardulais Road. The street scene is characterised by a variety of different house types and designs including detached properties, semi-detached and bungalows.

The host dwelling benefits from sufficient garden space to the rear of the dwelling and also to both sides with an existing detached garage to the west of the dwelling. The existing rear garden comprises a small outbuilding to east of the dwelling, a patio area and lawned area interspersed by hedges/shrubs. To the east the garden is bordered with a hedgerow, which continues along the rear boundary alongside trees, to the west there is a wooden close boarded fence.

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

Proposal

The application seeks full planning permission for a double storey extension to the side of the property. The proposed extension is to be just offset from the front elevation of the existing

dwelling and extend out to the east. The extension is proposed to be 4.5 metres wide and length of 6.8m to the rear. The proposed extension provides a separate lounge area at ground floor with an additional two bedrooms and en suite at first floor.

Large bi-folding doors are proposed on the rear elevation at ground floor with a standard window for the bedroom and small window for the ensuite at first floor. The original plans submitted with the application included a Juliette balcony to the rear elevation at the first floor, but this has been amended by the applicant following concerns received from neighbours. To the front, a single window at ground and first floor is proposed of same size and design as the fenestration to the front of the existing dwelling. No new windows are proposed on the side elevation of the extension. The submitted plans state that the proposed extension will be constructed and finished using materials to match the existing dwellinghouse, with painted render to match existing and concrete roof tiles.

Planning Site History

No recent planning history of relevance at the property.

Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Tycroes. 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

EQ7 Biodiversity

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales](#) (PPW) Edition 11, February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

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

Llanedi Community Council - No observations received to date.

Local Member(s) - Councillor Tina Higgins has not commented to date.

Sustainable Drainage Approval Body (SAB) – Advise development is not at risk of flooding and less than 100sq m so SAB approval is not required.

Natural Resources Wales – No comment to provide on the application.

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

Planning Ecology – no objection and issued bat advisory.

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 issued.

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

- Proposed Juliette balcony will result in loss of privacy to property and rear garden.
- Numerous windows on proposed rear elevation will allow views to neighbouring property.
- Raised position of extension allows direct views to neighbouring properties and access lane.
- Installation of patio doors at ground floor could cause increase noise.
- No dimensions provided on plans and concern of proposed extension proximity to hedge.
- Existing issue regarding permitter hedge not providing any privacy in current unkempt state.
- Ongoing issue regarding poor appearance and maintenance of boundary hedge is impacting sale of property.
- Proposal will be in close proximity to old water well situated in the garden.
- Two storey extension is out of character with the existing property and overdevelopment.
- Construction of the extension will result in unacceptable noise, disturbance and nuisance for immediate neighbours.
- Concerns regarding highway safety given the position of the proposed extension in close proximity to A483 highway along with existing streetlamp and speed restriction sign.
- Concerns regarding highway safety for large construction vehicles accessing and existing the site onto the highway.

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

Appraisal

In terms of the principle of development, the planning application proposes a double storey side extension at an existing residential dwelling, within development limits and within an established residential area. Local Development Plan (LDP) Policy GP6 is of relevance. The policy supports residential extensions where they are compatible to the size and character of the existing development and do not adversely affect the amenity of neighbouring properties.

The proposal involves a 4.2m by 6.8m double storey extension to the side elevation. In terms of the impact on the host dwelling, the proposal is set back slightly from the front elevation of the existing dwelling with a slightly lower ridge height to appear subordinate to the main dwelling. The materials are proposed to match the existing and the fenestration style and size is proposed to match the existing on the front elevation. As such, the appearance of the dwelling and proposed extension from the streetscene is considered to be acceptable.

The property also occupies a sizeable plot with existing amenity area to both sides and rear of the property at present. The proposed extension is proposed to the side of the existing dwelling an area currently comprised lawned garden. The extension is not proposed to be the full length of the existing dwelling house will be in line with the existing gable to the side of the host dwellinghouse. As such, the proposal is considered to be of suitable scale and design as required by Policy GP6. In addition, sufficient garden space remains to the rear of the property and the existing driveway and parking area to the east is unaffected by the proposed extension. There is also approximately a 1.4m walkway between the proposed extension and property boundary to the west. On this basis, the extension does not result in overdevelopment of the site.

Turning to privacy and impact on amenity of neighbouring properties. This has been raised as a concern in the two neighbour objections received. No new windows are proposed on the side elevations of the extension with glazed patio doors proposed on the rear elevation at ground floor along with a single window for the bedroom and a small separate en-suite window at first floor. The original plans included a Juliette balcony on the rear elevation, the plans were amended by the applicant following review of the neighbours' concerns regarding this feature and loss of privacy concerns. Instead the rear bedroom will now have a single window of the same style and design as existing windows at the property. The rear of the proposed extension will end approximately in line with the front elevation of neighbouring property no. 65 with a separation distance of 11 metres between the extension and neighbouring dwelling. The single unobscured window proposed at first floor of the rear elevation may allow for some views to the side of no. 65 which appears to be presently used as a driveway. However, in terms of views into the rear garden, the proposed extension is situated some 15m from the rear garden, with the existing boundary hedge of the site and detached garage/outbuilding at no. 65 situated in between. As such, the proposal is not considered to result in an unacceptable direct impact on privacy of neighbouring property the side.

In terms of the property to the rear, the garden of the site extends a further 32m from the end of the proposed extension. The dwelling, Llygad-yr-Haul no.67a, is a further 9.9m away from the rear garden boundary. The existing boundary hedge, trees and vegetation also provides further screening. As such, whilst new fenestration is proposed at first floor level on the rear elevation, there is considered to be suitable separation distance alongside existing natural screening which ensures there will not be an adverse impact on amenity of neighbouring properties by loss of privacy.

Objections also raise concern regarding noise and disturbance, as a result of the proposed development. Firstly, the noise which may arise from the new patio doors at ground floor level. This is not considered to result in a significant increase in noise, there is an existing door on the side elevation of the property at present in close proximity to the proposed new patio doors. Concerns regarding noise and disturbance during the construction process are acknowledged but this is not a material planning consideration.

The concerns raised regarding the position of the proposed extension and impact on highway are not considered relevant. The proposed extension is not situated any closer to the highway than the existing dwelling and will therefore not cause any impact on placement of the streetlamp or speed restriction sign. No comments have been received to date from the Highway Authority on the application. Nevertheless, the proposal does not result in any changes to the existing parking and access arrangements and the property benefits from a sizeable side driveway. As such, the proposal is not considered to result in any highway safety concerns.

Objections also both relate to the condition and unkempt appearance of the existing boundary hedge. The applicant has advised that the reduced privacy of the boundary hedge, is as a result of recent hedge works undertaken by one of the objectors. As the hedge is not proposed to be affected by the proposed development, it is not considered reasonable to require improvements to this as part of the current planning application.

The application has been reviewed by the Authority's Sustainable Drainage Approval Body (SAB) and Dwr Cymru Welsh Water (DCWW). SAB team have no adverse comments and advise SAB approval is not required. DCWW also do not object subject to a condition being imposed regarding surface water drainage. Natural Resources Wales were also consulted and advised no comments on the application. Planning Ecology have no objection and issued a bat advisory.

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.

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 in line with relevant Local Development Plan Policies and objections received, it is concluded on balance that the proposed extension is acceptable. The extension is considered to be compatible to the character and appearance of the existing property and of suitable scale for the site. The positioning of the extension is not considered to result in a significant adverse impact on amenities of neighbouring properties by way of loss of privacy.

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.

Conditions and Reasons

Condition 1

The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

Reason:

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

Condition 2

The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans:-

- Site Location Plan, Proposed Site Plan, Existing Floor Plans and Elevations drawing no 18:895 01 received 26 February 2021;
- Proposed Floor Plans and Elevations drawing no 18:895 02 received 23 April 2021.

Reason:

In the interests of visual amenity and to confirm the extent of the permission.

Condition 3

The materials to be used in the construction of the external surfaces of the extensions shall be as referred on Proposed Elevations and match those used in the existing building.

Reason:

In the interests of visual amenity.

Condition 4

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.

Reason:

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

Notes / Informatives

Note 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.

Note 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 Authority's Sustainable Drainage Approval Body (SAB), Planning Ecology and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.

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PLANNING COMMITTEE

Thursday, 29 April 2021

PRESENT: Councillor A. Lenny (Chair)

Councillors:

S.M. Allen, J.M. Charles, D.M. Cundy, I.W. Davies, J.A. Davies, 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

The following Officers were in attendance:

J. Edwards, Development & Built Heritage Manager
S. Murphy, Senior Solicitor
J. Thomas, Senior Development Management Officer [South]
G. Glenister, Development Management Officer
F. Williams, Development Management Assistant (Minerals and Waste)
Z.A. Evans, Senior Technician [Planning Liaison]
M. Evans Thomas, Principal Democratic Services Officer
A. Eynon, Principal Translator
E. Evans, Principal Democratic Services Officer
S. Hendy, Member Support Officer
E. Bryer, Democratic Services Officer
R. Lloyd, Democratic Services Officer
K. Thomas, Democratic Services Officer

Virtual Meeting - 10.00 am - 12.42 pm

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
D. Phillips	3: PL/00750 – Retention of an extension to an existing slurry lagoon for welfare purposes at Nantygoetre Isaf, Llandyfaelog, Kidwelly, SA17 5YA	Coaches Llanboidy Tug of War team and the applicant is in the squad

3. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS

UNANIMOUSLY 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/40307	Proposed extension and raising of levels to existing industrial storage yard with associated parking, staff portacabins, industrial hoppers and weighbridge at land
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	<p>adjacent to WDA industrial estate, Burry Port, Llanelli, SA16 0NN</p> <p>(Note: consent is also subject to a Section 106 Agreement)</p>
PL/00750	<p>Retention of an extension to an existing slurry lagoon for welfare purposes at Nantygoetre Isaf, Llandyfaelog, Kidwelly, SA17 5YA</p> <p>(NOTE: Councillor D Phillips having earlier declared an interest in this application left the meeting during its consideration by the Committee)</p> <p>A representation was received objecting to the application which re-iterated the objection points detailed within the Head of Planning's written report. Those included concerns on the lagoon's scale and proximity to their property, adverse impact on their amenity from flies, odour and noise, health, community safety, proximity of other slurry reception pits, potential for slurry to be imported to the site from the applicant's adjacent farm, increased traffic movement will increase pollution. It was also considered the submitted management plan was flawed, there were inaccuracies within the Head of Planning's report and the proposal was contrary to policy GP1 of the Local Development Plan</p> <p>The applicant's agent and the Development Management Officer responded to the issues raised.</p>
PL/00935	<p>Two storey side extension and new front porch Blaenau Isaf, Cross Hands, Llanelli, SA14 6DD</p>
PL/01348	<p>Proposed demolition of existing building and the subsequent reconstruction to provide 12 no. residential care apartments (class c2) and associated administrative office at 33-35 Murray Street, Llanelli, SA15 1BQ</p>

4. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS

UNANIMOUSLY 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:-

PL/00959	<p>Proposed milk bottling plant facility with ancillary office accommodation (b2) including storage (b8) and associated infrastructure works. Penrhiw Farm, Cwmishfael, Carmarthen, SA31 8BY</p>
PL/01054	<p>Construction of new detached dwelling at plot 4 , part field no. 6555, Croesyceiliog, Carmarthen, SA32 8DS</p> <p>Although an objector to the application was unable to be in attendance during the Committee's consideration of the above application, written representations were submitted in lieu, via e-mail, detailing the objections to the proposed development. Those representations were read to the Committee by the Development and Built heritage Manager</p>

	<p>which re-iterated the objection points detailed within the Head of Planning's written report. They included concerns relating to privacy, overlooking, the proposed Juliette balcony (which had been removed from the application), highway access and adoption of the estate roadway.</p> <p>The Development Management Officer responded to the issues raised.</p> <p>(Note: consent is also subject to the signing of the Unilateral Undertaking for affordable housing contribution)</p>
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5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 1ST APRIL 2021.

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on the 1st April 2021 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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