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WEDNESDAY, 22 DECEMBER 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, 6TH JANUARY, 2022** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Kevin Thomas
Telephone (direct line):	01267 224027
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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 Coummunity 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 Kevin Madge | Member of Cwmamman Town Council |
| 4. | Vacancy | |

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 |

UNAFFILIATED – 2 MEMBERS

- | | | |
|----|--|---------------------------------|
| 1. | Councillor John Jenkins | Member of Llanelli Town Council |
| 2. | Councillor Shahana Najmi –
Welsh Conservative | Member of Llanelli Town Council |

A G E N D A

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF PERSONAL INTERESTS**
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**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Cynllunio
Adran yr Amgylchedd**

**Report of the Head of Planning
Environment Department**

06/01/2022

**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:	06/01/2022
REPORT OF:	HEAD OF PLANNING

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NO'S
E/37086	Application for retrospective planning consent for the erection of 8 no pre-fabricated external silos in aluminium construction/finish ie 6 no 3.5m diameter x 12m height and 2 no 3.5m diameter x 10m height. Silos used for the storage of polyvinyl chloride granules/pellets used in the manufacture of unplasticized polyvinyl chloride (upvc) window profile at Victorian House, Capel Hendre Industrial Estate, Ammanford, SA18 3SJ	7-19
PL/00151	Housing Development consisting of 4 No. Plots - Land North of Soar Chapel, Llwynhendy, Llanelli, SA14 9NY	20-33
PL/00542	Installation of roof-mounted solar panels on multiple office buildings within the Parc Dewi Sant complex - Building 8, St Davids Park, Job's Well Road, Carmarthen, SA31 3HB	34-42
PL/02602	Proposed residential development at land adjacent to 172 Pant Bryn Isaf, Llwynhendy, Llanelli, SA14 9EJ	43-55

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/37086
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Application Type	FULL PLANNING PERMISSION
Proposal & Location	Application for retrospective planning consent for the erection of 8 no pre-fabricated external silos in aluminium construction/finish ie 6 no 3.5m diameter x 12m height and 2 no 3.5m diameter x 10m height. Silos used for the storage of polyvinyl chloride granules/pellets used in the manufacture of un-plasticized polyvinyl chloride (upvc) window profile at Victorian House, Capel Hendre Industrial Estate, Ammanford, SA18 3SJ

Applicant(s)	VICTORIAN HOUSE DEVELOPMENTS
Agent	ROBERT HENNING – GILLIES, HENNING & ASSOCIATES LTD
Case Officer	SOPHIE BERRY
Ward	SARON
Date registered	17 APRIL 2018

Reason for Committee

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

Site

The application site is known as Victorian House and is located within the settlement boundary of Capel Hendre. Victorian House is located in Parc Hendre Industrial Estate, an allocated employment area (GA3/E11) for B, B2 and B8 use, however, the northern most part of the building, and the location of the development in question, extends outside of this allocation. The site is also within the Caeau Mynydd Mawr SPG area and Sandstone safeguarding area.

The land to the west, south and east is characterised by industrial development of Parc Hendre and Capel Hendre Industrial Estates. Immediately to the north is a disused railway embankment, strip of mixed broadleaf trees and a field which separates the industrial site from the residential properties on Hendre Road. Open fields with pockets of dense vegetation, both within and outside the settlement boundary, adjoin the wider industrial site to the east and south. The primary view of the site is from Coopers Road with limited views

available looking north-east from the eastern arm of the estate road and through gaps in the trees and residential properties at Hendre road.

Proposal

The proposal seeks retrospective planning permission for the erection of 8no pre-fabricated external aluminium silos, located to the northern elevation of Victorian House. Victorian House is occupied by Victorian Sliders, the UK's largest manufacturer of sliding sash windows.

The silos are already in situ and measure 3.5m in diameter, 6no. silos reach a height of 12 metres whilst 2no. are at a reduced height of 10 metres.

The purpose of the silos is to store polyvinyl chloride granules/pellets use in the manufacture of UPVC windows.

The submitted plans also show landscaping works which effectively increase the size of the external rear yard and raise the level of the yard to meet the slab of the silos whilst flattening the top of an existing bund. This work has not been completed to date although the land has been re-engineered to increase the size of the yard.

Planning Site History

P6/17568/90	INDUSTRIAL DEVELOPMENT, CLASSES B1, B2 & B8 OF THE TOWN & COUNTRY PLANNING ORDER 1987	LOCAL AUTHORITY APPROVAL 18/10/1990
P6/19108/91	INDUSTRIAL DEVELOPMENT, ROAD PLAN AND INFRASTRUCTURE WORKS	LOCAL AUTHORITY APPROVAL 23/12/1991
E/00377	SINGLE STOREY INDUSTRIAL WAREHOUSE – B1, B2 & B8	FULL GRANTED 11/03/1997
E/00624	AMENDMENTS TO E/377 DATED 11.03.97 FIRE EXISTS FOR BUILDING CONTROL	FULL GANTED 01/08/1997
E/00851	ADVERTISEMENT – BUILDING SIGNAGE (1M X 16.3M) GROUND LEVEL FLOODLIGHTS AND FREE-STANDING SIGNBOARD (1.2M X 1.8M) NON-ILLUMINATED	ADVERTISEMENT GRANTED 15/01/1998
e/35509	PROPOSED DETACHED SINGLE STOREY BUILDING TO ACCOMMODATE A SECURITY GUARD HOUSE FACILITY	FULL GRANTED 30/06/2017
E/35556	PROPOSED DETACHED BUILDING TO ACCOMMODATE A VEHICLE WORKSHOP FACILITY TO SERVE THE EXISTING BUSINESS OPERATIONS	FULL GANTED 12/07/2017

Planning Policy

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

SP1 Sustainable Places and Spaces

SP2 Climate Change

SP3 Sustainable Distribution- Settlement Framework

SP7 Employment – Land Allocations

GP1 Sustainability and High-Quality Design

GP2 Development Limits

EQ4 Biodiversity

EQ7 Development within the Caeau Mynydd Mawr SPG Area

[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.

Head of Public Protection - No adverse comments.

Llandybie Community Council - Should be APPROVED, with some screening erected to avoid any detrimental effect on the visual amenity of the surrounding area presently enjoyed by local residents.

Local Member(s) - Councillor Carl J Harris made representations on behalf of the community. He acknowledges the importance of Victorian Sliders to the local economy but expresses his disappointment with the way in which the company has gone about this particular planning matter. To summarise, he states:

- The silos are taller than the industrial building itself and are now in full view of local residents from their rear gardens;
- The silos were erected without any notice to local residents or consultation with them or the Local Planning Authority;
- Trees and foliage which were present on site and acted as a natural barrier between the industrial site and resident's homes have been removed during excavation of the site. As a result these large silos now dominate the landscape behind resident's homes with residents reporting a significant increase in noise pollution from the site, particularly during the early hours of the morning which raises wider enforcement concerns regarding the operations on site.

- Residents have not been provided with information regarding the exact working of the silos and whether they will experience increased noise behind their properties when the silos are operational. I believe the planning authority must request this information from the applicant before passing judgement on the application.
- Residents have also not been provided with information regarding the safety and storage of the material in these silos. It is anticipated these silos bring an increased hazard to the site. Given the industrial scale of the development, it is imperative that safety information is provided with the application in order for residents, and indeed the planning authority, to be properly informed when making a decision on the development.
- Local residents want the planning authority to also consider the location of the silos and whether they can be moved to another side of the building. This seems an entirely reasonable request given the space available on the site and would help reduce the visual impact and noise.
- This retrospective application shouldn't just be to authorise the development, it should be to rectify everything which is wrong with development – including the inappropriateness of their location on the site in relation to residents' properties.
- If the application is approved there should be a condition to erect mature trees around the perimeter of the site in order to minimise the visual impact on neighbouring residents.
- Local residents object to the development in its current form. I hope these observations will be fully considered as part of the application process.

Local Member(s) - Councillor Karon Davies has made no prior comment.

Coal Authority – When considering the nature of this particular development, the retention of the 8 no. external silos for storage purposes and their positioning on the application site, and on the basis that they did not require substantive foundations or earthworks we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of development proposed in this particular case and do not object to this planning application.

However, recommends an informative is attached to the decision notice to advise that the development lies within an area containing potential hazards arising from former coal mining activity.

Wales and West Utilities – No objection but advise the developer to contact them to discuss requirements.

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

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and 3no. site notices (1x telegraph pole on Hendre Road near 146, 1x Tycroes road, 1 x junction opening of site).

3 representations were received objecting to the development and the matters raised are summarised as follows:

- The silos were erected without planning permission or consultation with neighbours;
- The natural boundary formed by vegetation and trees has been removed, with visual impact and impact on plant and wildlife;
- No biodiversity/geological information has been provided even though the site is designated under the Caeau Mynnydd Mawr SPG;
- Plans don't show that the factory footprint will be doubled;
- Direct view available from gardens and bedroom windows as well as for public roads and footpaths
- The structures are unsightly and do not blend in with the natural environment
- They reflect sunlight creating glare
- Wind passing through them causes noise and they generate noise like an oscillating alarm/hissing noise
- Limited information has been provided on the use and materials;
- No operating hours are proposed;
- The amount of PVC stored will produce quantities of toxic gas in the event of a fire;
- Remedies proposed to screen the silos are insufficient

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

Appraisal

This application seeks to retain 8no. Aluminium storage silo's serving this existing window manufacturing business at Parc Hendre Industrial Estate, an allocated employment site. It also seeks to retain and complete landscaping works which have also commenced.

A multi-department approach has been taken towards investigating complaints associate with noise generated from operations at the site. Officers found there to be no breach of planning control in terms of the way in which the site was being used and it seems that the additional noise being generated it from the operation of plant which recycles window off-cuts from the manufacturing process. The off-cuts are fed through the machinery to become granulised and ready for re-use in the manufacturing of windows at the site. All off-cuts are generated from on-site manufacturing and there was no evidence of material being imported to recycle. The aim is to reduce waste and minimise the amount of material which has to be bought in for production, reducing the company's reliance on outside suppliers and risk from increasing prices. The granulised material is that which is stored in the silos. They also contain imported pellets of PVCU, but this will reduce over time. The recycling plant machines are movable and, from what officers saw on their unannounced visit, their operation is incidental to the lawful use of the site and they do not form part of this application. Any noise generated however will be investigated separately by public health colleagues. To date, no adverse comments have been received by Public Protection or Waste officers.

In confirming the source of the noise referenced in neighbour complaints, officers were able to reasonably conclude that the silos themselves generate no distinguishable noise and did not witness any noise generated against them by the wind.

The application is, as correctly identified by Councillor Carl J Harris and in neighbour representations, part retrospective. Although it is advisable that developers enter into pre-

application discussions with the local planning authority and obtain planning permission prior to commencing development, to carry out unauthorised development is not an offence and the planning system provides a mechanism through the Town and Country Planning Act to allow retrospective planning applications to be made.

Although the development is within the CMM SPG area, it is also within the curtilage of an existing employment site and does not fall into the classifications set out in the SPG which are subject to its provisions.

Therefore, the primary issues for consideration in the determination of this application is the impact of the silos and landscape works on the appearance and character of the area, ecology and biodiversity, and whether there is any adverse impact on the amenities of neighbouring properties.

Impact upon character and appearance of the area

The primary view of the silos is from the gateway on the eastern side of Coopers Road and from the rear of the residential properties at Hendre Road.

The silos are located within the site of an existing industrial unit, within an industrial estate and on allocated employment land. Their height does exceed that of the main building, however, their appearance does not appear incongruous when viewed within the context of the factory and wider estate with its expansive hardstanding car parks.

The silos themselves for an important function in the operation of the business to ensure that it can continue to operate efficiently. Neighbour objection letters have queries as to why the silos cannot be located elsewhere on the site. However, the area to the rear of the building provides the most logical position given the internal layout of operations and being sited within an open yard where they can be easily accessed and maintained, reducing distance between delivery vehicles or the existing recycling plant and making for more efficient operation and overall sustainability of the business.

The Landscape Officer was of the view that the originally submitted information was insufficient to demonstrate the delivery of an approvable landscape design scheme (LDS) and recommended inclusion of a suitable condition upon any approval of planning permission. Following this, an LDS was submitted. It confirmed that no trees along the northern boundary were removed during construction work and, owing to the siting of the railway embankment, the roots have been protected from compaction of material deposited on the embankment. The impact of the proposal upon the health of the trees is discussed in further detail below.

The LDS aims to mitigate the potential damage to the existing trees on site and to create an appropriate boundary to the site which will blend into and complement the adjoining landscape to the north. It proposes to remove some of the southern-most trees which are in poor condition, grade the spoil head to reduce the steepness of its profile and hydroseed the area with a native wildflower and grass mix. A condition will be attached to any permission granted to ensure the LDS is completed and maintained as proposed.

The re-engineering of the land to the rear of the Victorian Sliders factory will not have any significant impact in terms of the appearance of the site from the outside and those trees north of the application site have been retained. It is therefore considered that there has not been any significant reduction in the level of screening of the Victorian Sliders building from

the residential properties at Hendre Road as a result of the loss of the trees and vegetation within the application site and the proposed LDS will enhance the character and appearance of the site, making a positive contribution in line with Policies GP1 and EQ5.

Ecology and Biodiversity

The application is part-retrospective, however, being located on a hardstanding on an established industrial site, the construction of the silos is unlikely to have had any significant effect upon or resulted in the loss of biodiversity features.

Although the development is within the CMM SPG area, it is also within the curtilage of an existing employment site and does not fall into the classifications set out in the SPG which are subject to its provisions.

The engineering works have also been applied for in retrospect. No ecological investigation has been submitted although owing to the scale of engineering operations any habitats within the railway embankment area would have been lost. The submitted LDS did consider the impact of future works upon the ecological resource and recommended precautionary working methods. No objection has been received from ecology officers.

A number of opportunities for ecological enhancement have been proposed by the applicant, including the erection of bat and bird boxes as well as woodpiles and insect boxes/bee hotels on the landscaped embankment. The wildflower seeding of this area will also encourage and provide a habitat for wildlife.

Owing to the limited tree removal and proposed ecological enhancement, it is considered that the proposal complies with the biodiversity requirements of Policies GP1 and EQ4.

Impact on Residential Amenity

Noise generated at the site is not a result of the construction of the silos and activity appears to be within the lawful use of the site and thus cannot therefore be controlled through this application and no amendment to the submission is required as a result. Neither is a noise survey required in support of this application since the development is not noise generating.

Neighbour representations noted that the wind passing through the silos generated noise. Officers did not witness this noise during the site visit. This is not to say it doesn't occur., however, such noise is likely to be infrequent and not to a level that would cause a nuisance.

Owing to the distance between the silos and the nearest residential properties at Hendre Road, there is no impact on loss of light.

Discounting noise generated at the site, the primary issue identified in neighbour objection letters is associated with the appearance of the silos themselves. It has been concluded above that given the industrial context within which the silos are sited, there is no significant negative impact of their construction upon on the appearance or character of the area. Furthermore, although they are visible from the rear of residential properties at Hendre Road, they are sited some 130 metres away from the nearest dwelling with fields, tree-belt (albeit reduced in depth through tree removed) and an industrial yard in-between. Its s therefore considered that the silos are not overbearing to the extent where they would have an adverse impact on residential amenity of these properties.

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

The silos and engineering works are located on an established site within an existing industrial area within the settlement boundary. As such they are considered to conform with the context of the area and will not have an adverse impact upon its appearance or character, residential amenity or biodiversity.

After careful consideration of the scheme as submitted it is concluded on balance that the proposal complies with the aforementioned policies of the LDP and it is therefore presented with a recommendation for approval subject to the following conditions.

Recommendation – Approval

Conditions and Reasons

Condition 1.

Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission, shall have been deemed to have been implemented on

Reason:

Required to be imposed pursuant to Section 73A of the Town and Country Planning Act 1990 (as amended).

Condition 2.

The development shall be carried out in accordance with the details shown on the following schedule of plans and documents:-

- Proposed Site Plan for Landscaping Proposal LP/02A December 2021 1:500@A1
- Landscape Design Scheme by RTAC 18 March 2019
- Existing Site Plan for Landscaping Proposal LP/01 1:500: A1

- Existing and Proposed Site Sections for Landscaping Proposal LP/03 1:200@A1
- Proposed Block Plan/Site Plan 03 1:500@A1
- Proposed Elevations 08 1 of 2 1:250@A1
- Proposed Elevations 09 2 of 2 1:250@A1
- Site Location Plan 01 :1250@A1

Reasons:

To ensure that only the approved works are carried out.

Condition 3.

The approved Detailed Landscape Design Scheme, as defined in the following submitted documents: 'Landscape Design Scheme, March 2019' shall be fully implemented Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design Scheme which, within are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

Reason:

To ensure that the development retains, incorporates and makes provision for the appropriate management of existing landscape features which contribute to local qualities and distinctiveness.

Condition 4.

No further development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during demolition and construction; and
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reasons:

In the interests of visual and neighbouring amenity during the construction phase of the development and to accord with policies GP1 and EP2 of the Carmarthenshire Local Development Plan.

Condition 5.

No further development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has

been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reasons:

In the interests of biodiversity and to accord with Policies EQ4 and SP14 of the Carmarthenshire Local Development Plan.

Condition 6.

No development approved by this permission shall be commenced until an Ecological Management and Maintenance Plan detailing all necessary ecological retentions, enhancements, creation, mitigation and management measures for the development, delivering the ecological recommendations listed within Plan LP/02 submitted December 2021 is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reasons:

In the interests of biodiversity and to accord with Policies EQ4 and SP14 of the Carmarthenshire Local Development Plan.

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). Your attention is drawn in particular to comments from the Coal Authority.

Note 3.

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>

Application No	PL/00151
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Application Type	Outline: All matters reserved
Proposal & Location	Housing Development consisting of 4 No. Plots - Land North of Soar Chapel, Llwynhendy, Llanelli, SA14 9NY

Applicant(s)	Trustees of Soar Welsh Baptist Chapel
Agent	Harold Metcalfe Partnership – Mr Ceri Evans
Case Officer	Zoe James
Ward	Bynea
Date registered	6 October 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 is a rectangular parcel of land situated to the north of Heol Y Graig and east of Gardde. The site is located within an established residential area and is bordered by residential development to the west and planning permission for a single residential dwelling to the east. To the south lies the existing graveyard of Soar Chapel. The site is within the defined development limits and allocated within the Local Development Plan (LDP) under reference. GA2/H40 as part of a larger site for 25 dwellings.

The site comprises vacant grassland with hedge boundaries to the west and existing open field to the north. The site slopes gently from north to south before a steeper drop at its southern boundary with Heol Y Graig road.

Proposal

The application seeks outline planning permission together with all matters reserved for future consideration. The application is supported by an Indicative Layout which shows two separate accesses via shared driveways to the proposed 4 dwellings along the southern boundary. A third possible access indicated as being for future development of rear land is also shown on the plan albeit this is outside of the current red line application site.

The indicative layout shows four detached dwellings situated in a row fronting Heol Y Graig with dedicated driveways to the front and private amenity gardens to the rear. As required by regulations, the application includes proposed parameters for the dwellings as follows:

Plot 1

- Length 10-12m
- Width 8-10m
- Eaves height 5-5.5m
- Ridge height 7-8m

Plots 2-4

- Length 12-14m
- Width 8-10m
- Eaves height 5-5.5m
- Ridge height 7-8m

The outline scheme refers to 4 dwellings and the indicative layout shows 4 detached dwellings. No further details regarding the house type or size of the dwellings are provided as part of the application. The Indicative Layout refers to the roadside hedgebank to be translocated behind the improvement line and viability splays as required. The application has been accompanied by an Ecological Appraisal Report to address ecological matters at the site.

Planning Site History

The site does not benefit from any planning history. The adjacent land benefits from the below site history:

S/40550 - DISCHARGE OF CONDITION 7 (LANDSCAPING SCHEME) ON S/37461 (SINGLE DETACHED DWELLING AND DOUBLE GARAGE) – Pending

S/37461 - SINGLE RESIDENTIAL DWELLING AND DETACHED GARAGE - Full Granted 04/12/2018 Unilateral Undertaking - Affordable Housing

S/35755 - SINGLE DETACHED DWELLING AND DOUBLE GARAGE - Withdrawn 28/09/2017

Planning Policy

In the context of the Authority's current Development Plan the site is within the defined development limits of Llanelli as contained in the adopted Local Development Plan (LDP). It is allocated under Policy H1, reference. GA2/H40 as part of a larger residential site for 25 dwellings in the Plan. Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces

SP3 Sustainable Distribution- Settlement Framework

SP5 Housing

SP6 Affordable Housing
SP14 Protection and Enhancement of the Natural Environment
SP16 Community Facilities
GP1 Sustainability and High Quality Design
GP2 Development Limits
GP3 Planning Obligations
GP4 Infrastructure and New Development
H1 Housing Allocations
AH1 Affordable Housing
EQ4 Biodiversity
EQ5 Corridors, Networks and Features of Distinctiveness
EP3 Sustainable Drainage

[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

Public Rights of Way Officer - No observations received to date.

Sustainable Drainage Approval Body (SAB) – advise separate SAB approval is required for the proposed development prior to commencement of development.

Head of Public Protection, Contaminated Land – Recommend imposition of standard conditions requiring site assessment investigations.

Highway Authority – no objection subject to specific conditions and improvements to existing highway.

Planning Ecology – originally issued holding objection requiring Preliminary Ecological Appraisal to be submitted. Following submission of this, the objection has been removed subject to imposition of a number of conditions on any permission granted.

Landscape Officer – no objection subject to conditions requiring further details on retention of existing landscaping and also proposed landscaping.

Llanelli Rural Council – Object on the basis of the access/egress arrangements to the site along Heol Y Graig and unsuitability of the roadway.

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

Natural Resources Wales – originally raised concerns regarding foul drainage, this has been addressed and concerns also raised in relation to removal of trees and potential impact of bats on site and advised to consult with LPA Ecologist. Final comments advised no objection to outline application, if further trees/hedgerow are proposed to be removed as part of a future reserved matters application they would need to be assessed for roost potential at that stage.

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

Coal Authority – No objection, advisory note included.

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

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and site notices in the vicinity of the site.

Three representations were received from two different neighbours, both objecting, the matters raised are summarised as follows:

- Highway safety concerns, proposal is along very narrow one-way road.
- Numerous incidents on existing road.
- Narrow road with bends restricting visibility.
- Additional accesses onto the road would be dangerous for pedestrians.
- Limited bus services with residents relying on private car.
- Limited street lighting in area.
- Development would generate additional traffic.
- Road unsuitable for heavy vehicles which would be required during construction period.
- Heol Y Graig becomes a stream during heavy rainfall.
- Development would result in loss of trees which would be detrimental to drainage and wildlife.
- Concerned of effects building work may have on stability of neighbouring properties.
- Overlooking due to properties being situated at higher level.

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

Appraisal

Principle of development

The principle of residential development at the site has previously been accepted through the site forming part of a wider allocation within the Adopted Local Development Plan (LDP) for 25 dwellings (reference. GA2/H40) following independent examination of the Plan by an Inspector and earlier allocation within the previous Unitary Development Plan (UDP). The current application seeks outline consent for 4 dwellings at the site. The application site occupies the southwestern corner of the allocation GA2/H40.

The site is also located within the defined development limits of Llanelli and is within an established residential area. Allocation of the wider site is a reflection of the location within the Llanelli Growth Area in the sustainable settlement framework of the LDP whereby it is located on sustainable transport corridors and Llwynhendy and Bynea collectively contain a broad range of services and facilities.

As such, it is considered that the principle of residential development at the site has been accepted.

Highway Impacts

The main concerns raised in relation to the application and proposed development relate to highway safety concerns. These are largely linked to the narrow width of the existing road network to the south of the site and the issues associated with this.

The Head of Highways and Transport has reviewed the application submission in detail and requested amendments to the application. As such, a revised plan has been submitted showing the inclusion of a pedestrian footpath along the entire site frontage with Heol-Y Graig. This will improve the existing road network and provide dedicated pedestrian facilities for the benefit of new and existing residents in the area. Following receipt of the amended plan, the Officer has raised no objection to the proposal from a highway capacity or safety perspective. He is satisfied that the likely additional traffic can be safely accommodated on the local highway network and that the proposed new accesses can be adequately designed to serve the development and meet the required standards. The Officer has requested a number of conditions to be imposed on any permission granted. Further technical details of the proposed access arrangements would also be provided as part of a future reserved matters application for the development.

Impact upon character and appearance of the area and amenity of existing residents

The scale and appearance of the dwellings is reserved for future consideration, alongside access, layout and landscaping. The application is accompanied by a Proposed Layout which shows an indicative layout for the site and minimum and maximum parameters for the dwellings.

The parameters proposed allow for sizeable, detached dwellings on site. The maximum ridge height is limited to 8metres to ensure that the dwellings are of similar scale to properties within the surrounding area. Although it is worthwhile noting that the ridge height of the property to the east of the site is 10.4m. The length and width of the proposed dwellings range from 8 metres to 12 metres. The proposed parameters for the dwellings along with the information concerning the indicative layout is considered appropriate for the site.

Concerns are also raised in relation to the difference in site levels and the potential for overlooking of neighbouring properties. At present no further details are provided in relation to the position, design and appearance of the dwellings. This will be provided as part of a subsequent reserved matters application. In addition to the reserved matters, a condition is also proposed to be imposed requiring submission of site sections and finished floor levels to ensure the development does not adversely affect the character and appearance of the area or result in detrimental impact on residential amenity as required by Policy GP1. Furthermore, the existing landscaped boundary to the west will be retained providing screening of the site.

Biodiversity Impacts

An objection received also relates to loss of trees and wildlife on site. The application has been supported by an Ecological Appraisal Survey. Further information and clarification has

been provided following requests from statutory consultees including the Planning Ecologist and Natural Resources Wales.

The Ecological Appraisal assesses the site's ecological value and the impact of the proposed development on this. The report identifies that the majority of the site has high ecological value. However, recommendations are identified within the report to minimise the impact of the development and in relation to ecological mitigation and enhancement measures to be incorporated as part of the development.

Planning Ecology and NRW have both reviewed the information submitted. Planning Ecology confirm no objection to the proposed development subject to a number of conditions relating to further survey work and sensitive site clearance strategies being submitted prior to any work being carried out. NRW requested further clarity regarding loss of trees and subsequent impacts on bats. They have now confirmed no objection to outline application but advised if additional trees/hedgerows are proposed to be lost once the layout is confirmed at reserved matters stage then they will need to be assessed for their roost potential at that time.

Flood Risk Implications and Drainage Matters

The site is located within Flood Zone 1, where new residential development is typically directed to by Welsh Government Technical Advice Note (TAN) 15. However, an objection received raise concerns regarding surface water flooding on Heol Y Graig.

No detailed drainage information has been submitted as part of the outline planning application for the site. The Authority's Sustainable Drainage Approval Body (SAB) has confirmed that the development will require separate SAB approval prior to the commencement of development. They have raised no objection to the planning application and a condition is proposed to be included on any permission granted relating to this, despite it being covered by separate legislation. In addition, Dwr Cymru Welsh Water have also raised no objection subject to imposition of conditions.

Other Matters

The comments in relation to bus services and street lighting are not relevant to the planning application and are not within the remit of the Local Planning Authority.

Planning Obligations

The applicant has agreed to enter into a Section 106 legal agreement to provide the necessary contribution toward affordable housing as required by Policy AH1 of the Local Development Plan. This will be drafted and agreed with the Authority's legal department.

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 comprises an acceptable residential development. The site is located within the defined development limits and forms part of a larger designated site for housing within the Adopted LDP and therefore there is no in-principle objection to developing the site for residential use.

The application is outline with all matters reserved for future consideration. In line with requirements, the application has been supported by an indicative site layout and proposed parameters for the dwellings on site. The submitted information is considered to be compatible for the site and general character of the area in line with Policy GP1, with further details regarding access, appearance, landscaping, layout and scale to be submitted. Although access is a reserved matter, given the site's location and condition of Heol Y Graig, the Highway Authority have requested a number of conditions are attached to the outline permission to ensure acceptable access arrangements can be secured. Details concerning siting, scale and appearance will be considered alongside the impact on amenity of adjacent occupiers as part of a future reserved matters submission.

Ecological impacts have been assessed and the proposal satisfies environmental requirements, within both the LDP and the Environment Act Wales 2016 as per confirmation from the Council's Planning Ecologist. Relevant conditions are imposed with additional information and surveys/schemes required to be submitted prior to commencement of any development on site. Natural Resources Wales have also confirmed no objection.

The development will deliver benefits to the local community in the form of financial contribution toward affordable housing in line with Policy AH1.

In light of the foregoing, the application is put forward with a favourable recommendation subject to the below conditions and the successful completion of a Section 106 Agreement securing the community benefits outlined above.

Recommendation - Approval

Conditions and Reasons

Condition 1.

Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-

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

Reason:

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

Condition 2.

The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Reason:

The application is in outline only.

Condition 3.

Development shall not commence until detailed plans of the layout, scale, appearance and landscaping of the development, together with the means of access thereto, have been submitted to and been approved in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity.

Condition 4.

The land subject to this permission is as identified on the 1:1250 scale Site Location Plan (Land Registry Plan title no. CYM372859) received 21 July 2020 and Indicative Layout scale 1:500 received 23 February 2021.

Reason:

For the avoidance of doubt.

Condition 5.

Any reserved matters application shall be accompanied by full cross sections, finished floor levels and means of enclosure so that the proposal can be seen in the context of the road and the surrounding dwellings.

Reason:

In the interests of visual amenity.

Condition 6.

The new vehicular accesses shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 4 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter they shall be retained, unobstructed, in this form in perpetuity.

Reason:

In the interest of highway safety.

Condition 7.

The gradient of the vehicular accesses serving the development shall not exceed 1 in 10 for the first 5.0 metres from the edge of the carriageway.

Reason:

In the interest of highway safety.

Condition 8.

There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole Heol-Y-Graig (W5837) Road frontage within 2.4 metres of the near edge of the carriageway.

Reason:

In the interest of highway safety.

Condition 9.

Prior to any use of the accesses by vehicular traffic, a visibility splay of 2.4 metres x 25 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the accesses in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.6 metres within this splay area.

Reason:

In the interest of highway safety.

Condition 10.

Prior to the commencement of development, the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities within the curtilage of each plot. These are to be provided on each plot prior to its occupation, and thereafter shall be retained, unobstructed in perpetuity. In particular, no part of the access, parking, or turning facilities is to be obstructed by non-motorised vehicles.

Reason:

In the interest of highway safety.

Condition 11.

All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway or be disposed of, or connected into, existing highway surface water drains.

Reason:

In the interest of highway safety.

Condition 12.

Prior to the commencement of any part of the development herewith approved, a 1.8- metre-wide footway shall be provided along the entire site frontage with the Heol-Y-Graig (W5837) Road (to include land edged in red and blue), and to extend a further 40 metres to the east from the site's eastern boundary. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.

Reason:

In the interest of highway safety.

Condition 13.

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

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.

Condition 14.

Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of demolition and construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.

Reason:

To ensure that the amenity of local residents/businesses is adequately protected from dust during demolition/construction.

Condition 15.

Prior to the commencement of any works a sensitive clearance methodology for dormice shall be prepared, submitted and approved in writing by the Local Planning Authority. This should indicate that removing/translocating any understory/scrub/woody vegetation or hedgerows shall be undertaken under the watching brief of a qualified ecologist following good practice guidelines. Work shall thereafter be carried out in accordance with the approved details.

Reason:

In the interest of protected species

Condition 16.

Prior to the commencement of any works a method statement and mitigation plan for reptiles should be prepared by a competent ecologist and submitted to the Local Planning Authority for consideration and approved in writing. The strategy must then be implemented as approved.

Reason:

In the interest of protected species.

Condition 17.

Any reserved matters application shall be accompanied by a biodiversity enhancement scheme, indicating biodiversity enhancement of this site including locations, types, specifications and numbers of any proposed biodiversity enhancement measures. The proposed measures are required to be submitted on an annotated plan and implemented thereafter as approved.

Reason:

To ensure the development complies with the Environment (Wales) Act 2016 and PPW (Edition 11).

Condition 18.

Prior to the determination of any application(s) for reserved matters seeking approval of 'layout' or 'landscaping': no trees with trunk/stem diameter exceeding 100 mm, measured at a height of 1.5 metres above ground level; or hedges, which are located within or on the site boundary shall be cut down, uprooted, destroyed, topped, lopped or pruned without the prior written approval of the Local Planning Authority. Following such approval all works are to be carried out in accordance with BS3998.

Reason:

To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.

Condition 19.

Any reserved matters application(s) in relation to this outline approval, shall include submission of a Landscape Constraint Plan (LCP) to approval by the Local Planning Authority. The LCP shall define the following: -

- a) Stem location, canopy spread and root protection area (RPA) of all trees and groups of trees within or on the application boundary, and outside the boundary with a canopy spread which overhangs the boundary;
- b) Outer extent of above ground growth or canopy spread; and RPA of all other landscape elements (hedgerows and continuous woodland/ scrub/ shrub areas) within or on the application boundary. If the proposed development would result in potential impacts from: construction operations; changes in level; construction phase access; or installation of underground apparatus, within any RPAs defined within the LCP, the following shall also be submitted to approval: -
 - i. Tree survey and Categorisation Report for all trees, groups of trees and other landscape elements subject to potential impacts within the RPAs.
 - ii. Arboricultural Impact Assessment (AIA) which identifies the impacts of the proposed development on all trees, groups of trees and other landscape elements. The AIA shall clearly indicate which are to be retained; which are subject to potential impacts; and which are to be removed. The AIA shall provide appropriate mitigation proposals for all trees, groups of trees and other landscape elements which are to be removed.
 - iii. Arboricultural Method Statement (AMS) which provides methodology for the implementation of any aspect of the development that is within the RPA of all

trees, groups of trees and other landscape elements identified for retention within the AIA.

- iv. Tree Protection Plan (TPP) which provides details of all protective measures, operations and construction exclusion zones for all trees, groups of trees and other landscape elements to be retained; All information shall be in compliance with the recommendations of BS5837

Reason:

To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990

Condition 20.

Any reserved matters application(s) in relation to this outline approval, shall include an appropriate and comprehensive detailed Landscape Design Scheme (LDS), which shall be approved in writing by the Local Planning Authority. The LDS shall be in compliance with all ecological and biodiversity recommendations and proposals for the site; and relevant guidance as provided by the local planning authority. The LDS shall include retention of the existing boundary hedgerow to the west of the site. The approved LDS shall be fully implemented prior to occupation or commencement of permitted use of the development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

Reason:

To ensure that the development enhances the character and appearance of the site and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity: thus delivering the objectives of CLDP policies: - SP1 d) and i); GP1 a), f) and i); EQ5; and where appropriate EQ6

Condition 21.

Any reserved matters application(s) in relation to this outline approval, shall include submission of Landscape Maintenance and Management (LMM) information to approval by the local planning authority. The LMM information shall fully integrate with, and demonstrate delivery of all ecological and biodiversity recommendations and proposals for the site. The information shall include the following:

- a) LMM Responsibility Plan which provides clear definition of those areas:
 - i. subject to transfer to future private ownership and management responsibility.
 - ii. proposed for adoption by the local authority.
- b) LMM Scheme for all areas within the application boundary not included in the above. The LMM Scheme shall include:

- i. Plans, specifications and schedules for establishment and long-term maintenance and management, of all identified landscape areas, including monitoring and remedial operations.
- ii. Details of the management agent (body or organisation) responsible for implementation of the LMM scheme; and the legal and funding mechanism(s) by which delivery of the LMM scheme will be secured.

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

Reason:

To ensure that the landscape proposed and implemented is adequately maintained and managed at the site in the future.

Notes/Informatives

Note 1.

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

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

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

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

Note 2.

This planning permission is granted subject to the covenants contained in the accompanying Section 106 Legal Agreement in connection with the community benefits provided as part of the development.

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).

- Please see the relevant responses from the Coal Authority, Dwr Cymru/Welsh Water, Natural Resources Wales and the Council's Planning Ecologist, Highway Authority, and Sustainable Drainage Body and refer to the recommendations and advice contained therein.

Application No	PL/00542
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Application Type	Full Planning Permission
Proposal & Location	Installation of roof-mounted solar panels on multiple office buildings within the Parc Dewi Sant complex - Building 8, St Davids Park, Job's Well Road, Carmarthen, SA31 3HB

Applicant(s)	Carmarthenshire County Council
Agent	Cogeo Planning & Environmental Services Limited
Case Officer	David Roberts / John Thomas
Ward	Carmarthen Town West
Date registered	14/08/2020

Reason for Committee

This application is being reported to the Planning Committee as Carmarthenshire County Council has a financial and land ownership interest.

Site

The planning application site comprises part of the extensive Parc Dewi Sant complex, which occupies a peripheral location on the North-western suburbs of Carmarthen Town. Parc Dewi Sant comprises a range of institutional buildings, the majority of which date from the Victorian era, when the site was initially built as a lunatic asylum. The complex is set within an extensive landscaped setting, occupying an elevated location above much of Carmarthen Town within what was a rural location. Over the past century, the urban growth of Carmarthen Town now surrounds most of the Parc Dewi Sant campus, with the recently constructed Carmarthen West Link Road skirting the North and West of the Parc Dewi Sant campus.

The application site comprises two large buildings located to the Western extreme of Parc Dewi Sant. One of the application buildings (Building 7) dates from the 1960s and is of a modern design, being metal framed, mainly plastic exterior clad, under a flat profile roof. The second building (Building 8) is a much older building (circ. turn of the 20th century), being single storey and of brick construction, under a series of ridged roofs. This building is of considerable linear design, with a long continuous corridor linking what were segregated wards, when the building previously served as part of an extensive sanatorium.

In the past 10-15 years the majority of the former psychiatric hospital has been purchased by Carmarthenshire County Council (CCC), with most of the buildings changed to offices

and IT workshops. This is the case with the application properties, which given their age, construction and design are not the most energy efficient to maintain and sustain.

Proposal

The planning application seeks permission to position a series of Roof-Mounted (RM) Solar Photovoltaic (SV) panels, on the most Southerly aspect roof areas of the application buildings. In total, the proposed panels would be arranged into eighteen RM SV arrays, amount to an area of 803 msq with the sole purpose of capturing solar irradiation to generate sustainable electricity. Each panel will be fixed to the exterior roof planes, other than where hinged and bracketed on the flat roof building. Where fixed to the ridged roof elements of the site, the flat panels would sit only 73mm above the existing roofline, with little or no impact upon the visual setting and appearance of their surroundings.

The combined development would have the installed capacity to generate 133 kw of zero-carbon electricity, which will serve to off-set the electricity consumption on the wider Parc Dewi Sant site. This initiative accords with the Council's ambitions to reduce emissions, increase green energy provision, while reducing the carbon footprint of operations. The concept of generating "clean" energy accords with the Council's climate emergency policy and positive steps to address the issue.

A RM PV arrays will be to the benefit of the Council in terms of energy offset as an important organisation and employer, looking to future energy security and reduced environmental impacts. Its installation will be a positive addition to the buildings within the complex, with minimal impact to the site, its neighbours and the local and wider environment

Planning Site History

PA/17055 - Proposed Car Park Signage throughout the Site
Granted - 17/12/2019

PA/16534 - Solar PV Added to Buildings 7 and 8

W/38598 - Installation of a Roof-Mounted Solar Array
Withdrawn - 03/02/2020

W/19583 - Construction of Car Parking Area for 168 Cars with Associated Footpath, Lighting and Landscaping works
Full Granted - 05/10/2009

W/17924 - Vehicle Direction, Warning and Prohibition Signage Advertisement Consent
Granted - 04/09/2008

W/17818 - Installation of 17 No. Lighting Columns - 6m High
Full Granted 07/04/2008

W/12807 - A Portakabin Titan Building to be Installed Temporarily to Assist in the Restructuring of the Salaries and Pensions Dept. To Be Hired from Portakabin Ltd for A Period Of Up To 18 Months
Full Granted - 22/12/2006

W/05832 - Construction of 5no. Car Parking Areas
No Decision on File

W/05572 - Change Of Use From Existing Hospital Accommodation To Office Accommodation
Full Granted - 14/12/2006

D4/24980 - Change of Use of Occupational Therapy Dept Building to Offices
Full Granted - 22/09/1994

D4/24240 - Demolition of Outbuildings and Structures No 1-5 on Plan Dated
Listed Building Granted - 18/04/1994

D4/24239 - Demolition In Poor Condition Structural Flaws Not Listed And Is Considered Unworthy Of Retention
Listed Building Refused - 01/03/1994

D4/22207 - Provision of 2 no New Fire Escape and Fire Doors
Listed Building Granted - 11/06/1992

D4/22135 - 2 New Fire Escapes
Full Granted - 04/03/1992

Planning Policy

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

GP1 Sustainability and High Quality Design

SP1 Sustainable Places and Spaces

SP2 Climate Change

SP11 Renewable Energy and Energy Efficiency

SP17 Infrastructure

RE3 Non-wind Renewable Energy Installations

EQ1 Protection of Buildings, Landscapes and Features of Historic Importance

EQ2 Enabling Development

EQ4 Biodiversity

Carmarthenshire Supplementary Planning Guidance

Wind and Solar Energy (June 2019)

National Planning Policy and Guidance is provided in Future Wales, Planning Policy Wales (PPW) Edition 11 and associated Technical Advice Notes (TANs) published by Welsh Government.

Summary of Consultation Responses

Natural Resources Wales - No objections, but recommend the inclusion of advisory notes.

Carmarthen Town Council – No objections.

Local Member(s) - Councillor Emlyn Schiavone supports the planning application, while no observations have been received from Cllr Alan Speake.

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

Summary of Public Representations

The application was publicised by means of a site notice displayed in the vicinity of the application site. No third party representations have been received to date.

Appraisal

Principle of Development

The site is part of the Parc Dewi Sant complex, the majority of which is now CCC owned and a strategic administrative centre for many of the council's administrative functions. Given the council's strategic policy objectives, and the appropriateness of the application site to accommodate the proposed RM PV arrays, the development is policy compliant under the terms of the LDP.

Landscape & Appearance

The application occupies a rural location on the Western fringe of Carmarthen Town, the subject buildings represent more recent developments within the wider complex and are not covered by either any Listed Buildings or Conservation Area designations. As the planning application seeks to retrofit the PV panels onto existing roofs, this significantly reduces the conspicuousness of the development, and will not involve the loss of any open space. The proposed development will be well incorporated and blend into the overall design of the buildings, without any adverse impact upon the landscape character of this urban edge site.

Noise

As the application properties are presently in office use, and distinctly isolated from any noise sensitive properties, the proposed use is not considered to represent a potential noise disturbance. It is fair to say, the RM PV is of a limited commercial scale and the associated noise would be minimal. Office uses today, coupled with the IT workshop use of part of the application building, do generate an element of ambient noise. The associated equipment noise generated by the proposal will be minor and undistinguishable by the employees.

Glint & Glare

Solar panels are of a dark recessive colour, given that their intention is to convert the sun's energy into electricity via photovoltaic (PV) cells. The matt non-reflective finish serves to bestow this accrument, while the glazed outer finish does have the potential to reflect a small element of light under particular conditions. This potential accrument is most conspicuous on low-lying sites, while the application site is elevated above all surrounding neighbouring land uses. The proposed panels are designed and manufactured to limit such an effect.

Ecology

The submitted Bat Survey Report confirms the application site stands within a managed grassland setting, surrounded to the West and South by improved and semi-improved pastureland. The surrounding habitats harbour the potential to serve as feeding and commuting corridors for bats. The scheme will not result in the loss of any such areas of grassland or existing hedge lines which will continue act as wildlife corridors. Natural

Resources Wales and the Authority's Planning Ecologist have offered no objection to the proposal from an ecological perspective, and any permission granted will be conditioned to require the adherence with the recommended mitigation/compensation measures stated in the report. The proposal therefore complies with ecological objectives of Policies SP11, SP14, GP1, EQ4 and RE3 of the LDP.

Other Matters

The other material consideration to PV proposals include grid connections. As this proposal is of a modest scale, the intention is to utilise existing grid connection equipment to allow excess energy to be exported. It is worth noting that the principle purpose of these PV arrays is to meet working day energy needs, while weekend and holiday periods will allow for energy export.

Planning Obligations

Not Applicable.

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

The Local Development Plan policy framework for the proposal is primarily set out in Policies SP11 and RE3 of the LDP which have been appraised above. The former supports renewable energy proposals where environmental, visual and amenity impacts will be acceptable, while Policy RE3 likewise supports renewable energy generation schemes where there is an overriding need for the scheme and there will be no demonstrable harm to the landscape. This framework must be considered against the policy context of National Planning Policy as set out in Planning Policy Wales and TAN8 which broadly advocates a positive approach towards renewable energy developments to meet the objective of moving towards a low carbon economy and to help tackle the causes of climate change. They highlight the need to recognise the contribution that proposals will make in meeting identified targets and potential for renewable energy while at the time minimising the impacts upon communities.

In terms of its visual impact, the site does not lie within an area designated for its landscape value and its location means it has a strong suburban character. Whilst the proposal will be visible to an extent from distant viewpoints, the fact that the panels will be affixed to existing roof planes will ensure the development will assimilate into the landscape without having an unduly dominant or harmful effect. Furthermore, the proposal will not cause any unacceptable harm to the living conditions of any neighbouring occupiers.

The accompanying Bat Report confirms that the site is not of any significant ecological value, but presumes that bats are present within the buildings while the implementation of the method statement and mitigation measures will deliver an overall positive impact.

On balance, the proposal is considered to be justified whereby it represents an acceptable and sustainable form of development that accords with the policy objectives of the Authority's LDP, as well as those of National Planning Policy. This represents a realistic step by CCC to initiate environmentally sustainable energy generation initiatives on its own property portfolios to address the challenges of climate change.

Recommendation – Approval

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 following schedule of plans received 30 September 2021

- 1:1250 scale Site Location Plan Received 25-09-2020;
- 1:1000 Solar PV Layout (Drawing No. 001) Received 25-09-2020;
- 1:500 scale Solar PV Elevations (Drawing No. 002) Received 25-09-2020;
- 1:50 scale Solar PV Elevations (Drawing No. 003) Received 25-09-2020;
- 1:50 scale Existing Elevations (Drawing No. 003(02)) Received 25-09-2020;
- 1:100 scale Solar PV Elevations (Drawing No. 004) Received 25-09-2020;
- 1:100 scale Existing Elevations (Drawing No. 004(02)) Received 25-09-2020;
- 1:100 scale Solar PV Elevations (Drawing No. 005) Received 25-09-2020;
- 1:100 scale Existing Elevations (Drawing No. 005(02)) Received 25-09-2020;
- 1:100 scale Solar PV Elevations (Drawing No. 006) Received 25-09-2020;
- 1:100 scale Existing Elevations (Drawing No. 006(02)) Received 25-09-2020;
- 1:100 scale Solar PV Elevations (Drawing No. 007) Received 25-09-2020;
- 1:100 scale Existing Elevations Plan (Drawing No. 007(02)) Received 25-09-2020;
- 1:100 scale Solar PV Elevations (Drawing No. 008) Received 25-09-2020;
- 1:100 scale Existing Elevations (Drawing No. 008(02)) Received 25-09-2020;
- 1:200 scale Building 7 - Elevations (Drawing No. 009) Received 25-09-2020;
- 1:50 scale Solar PV Elevations- Welsh Water (Drawing No. ABS748-007) Received 25-09-2020;
- 1:100 scale Proposed Plan & Elevations.

Reason:

In the interests of visual amenity in accordance with Policy GP1 of the LDP.

Condition 3.

The development hereby approved shall be removed and the land restored to its former condition within six months of the end of electricity production.

Reason:

To ensure that, upon the expiry of the lifespan of the development, the development is removed and the land restored to its former condition.

Condition 4.

The development hereby approved shall be carried out strictly in accordance with Section 5 "Outline Method Statement for Planning & Mitigation/Compensation Measures" of the Bat Survey Report prepared by I & G Ecological Consultants, received on the 20th October 2021.

Reason:

In the interests of biodiversity and to accord with Policies EQ4 and SP14 of the Carmarthenshire Local Development Plan.

Condition 5.

The permission hereby granted shall endure for a period of 25 years from the date when electricity is first exported from the photovoltaic panels. Written confirmation of the first export date shall be sent to local planning authority within one month of the first export date.

Reason:

To define the scope of this permission and to accord with policies SP11 and RE3 of the Carmarthenshire Local Development Plan 2014.

Condition 6.

Within 25 calendar years from the date when electricity is first generated to the grid, or within 6 months of the cessation of electricity generation by the roof mounted photovoltaic panels, whichever is sooner, the panels and all associated equipment shall be dismantled and removed from the site and the buildings restored to their former condition.

Reason:

To ensure satisfactory appearance upon cessation of the development and to accord with policies SP11, GP1 and RE3 of the Carmarthenshire Local Development Plan 2014.

Summary Reasons for Approval

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

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.

- It is considered that the proposal complies with Policy SP2 of the LDP in that the proposed development is resilient to the impact of climate change, promotes energy efficiency and increases the supply of renewable energy.
- It is considered that the proposal complies with Policy SP11 of the LDP in that the proposal will not cause demonstrable harm to residential amenity and is considered acceptable within the landscape.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will not unacceptably detract from the character and appearance of the area.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.

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.

Note 3.

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>

Application No	PL/02602
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Application Type	Outline
Proposal & Location	PROPOSED RESIDENTIAL DEVELOPMENT AT LAND ADJACENT TO 172 PANT BRYN ISAF, LLWYNHENDY, LLANELLI, SA14 9EJ

Applicant(s)	MR J JONES - CARMARTHENSHIRE COUNTY COUNCIL
Agent	ALEX D WILLIAMS – CARMARTHENSHIRE COUNTY COUNCIL
Case Officer	Eilian Jones
Ward	Bynea
Date registered	08/09/2021

Reason for Committee

This application is being reported to the Planning Committee as the County Council and it has a significant financial interest in the application. Also, following the receipt of more than one objection from third parties.

Site

The proposal comprises of former playground located within a relatively modern residential estate of Pant Bryn Isaf, Llwynhendy and within the development limits of Llanelli.

The site is approximately 0.09 hectares with level hardstanding area on the southern end which previously supported play equipment. At the rear is a grassed open space, with boundaries backing on to adjacent dwellings within the estate.

There is a Public Right of Way (Footpath 36/110) immediately adjacent and along the full extent of the eastern boundary of the site, in a south-east to north-west alignment. This links various residential streets within the estate, but also to the recreational ground to the north near to Dylan, Trallwm.

The southern boundary of the site fronts the public/estate road and has an open access. The remaining three boundaries have a wooden or metal fence boundary. The site has a road frontage of 17m and a maximum depth of 43m. The southern (road fronting) part of the site is relatively flat whilst the northern (rear) part of the site is lower and formed by a gradual slope.

Proposal

The application is an outline submission with all matters reserved for subsequent approval to develop the site for residential purposes. It has been clarified that the application is seeking consent for one dwelling.

Planning Site History

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

S/14172 - Residential development of 105 units re-plan of plots 107-171, 221-251, 200-208
Full granted - 11 March 2008

LL/00771 - Application to vary condition no. 1 imposed on outline planning permission no. S/00397
Removal of Condition granted - 03 April 2002

S/01379 - Erection of 96 dwellings and associated roads and drainage and garages
Full granted - 05 May 2000

S/00397 - Residential development comprising up to 65 dwellings
Outline granted - 06 March 1997

D5/11458 - Residential development
Approved - 05 June 1989

D5/11141 - Residential development
Approved - 30 January 1989

D5/837 - Residential development
Approved - 26 July 1976

Planning Policy

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

SP1 Sustainable Places and Spaces
SP2 Climate Change
SP3 Sustainable Distribution - Settlement Framework
SP14 Protection and Enhancement of the Natural Environment
SP16 Community Facilities
GP1 Sustainability and High Quality Design
GP2 Development Limits
GP3 Planning Obligations
H2 Housing within Development Limits
AH1 Affordable Housing
TR3 Highways in Developments – Design Considerations
EQ4 Biodiversity
EP1 Water Quality and Resources
EP2 Pollution
EP3 Sustainable Drainage

REC1 Protection of Open Space

[Carmarthenshire Supplementary Planning Guidance](#)

The following guidance documents are considered relevant to the determination of this application:

[Affordable Housing SPG](#)

[Planning Obligations SPG](#)

[Placemaking and Design SPG](#)

[Nature Conservation and Biodiversity SPG](#)

[Leisure and Open Space – Requirement for New Developments SPG](#)

Summary of Consultation Responses

Head of Transportation & Highways - No objections to the proposal subject to conditions and advisory notes.

Llanelli Rural Council - No objections subject to soil percolation tests being conducted and suitable measures put in place to combat the ground water retention issues associated with the boggy ground conditions of the former playground grassed area.

Local Members - Councillor D. Cundy requested clarification on the number of dwellings proposed.

Public Rights of Way Officer – No objections subject to advisory notes.

Drainage Officer – No objections. Advise that separate SAB approval is required.

Grounds and Cleansing Team – No representations received.

Dwr Cymru/Welsh Water – No objections to the proposal subject to a condition relating to the protection of the public sewer and advisory notes.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice.

Llanelli Ramblers - No objections in principle subject to ensuring that the path remains unobstructed at all times. Concerns regarding the loss of play area.

Seven further representations were received, 7 objecting, and the matters raised are summarised as follows:-

- Loss of public green area/play areas and that it was meant to be retained as part of the development of the residential estate.
- Loss of open spaces to enclosed, built developments increasing risk of transmitting diseases and viruses such as COVID-19 and impacting health and wellbeing.
- Brownfield land should be developed instead.

- Lack of publicity of the planning application.
- Increase in flooding and adverse impact on drainage and sewerage infrastructure.
- Insufficient information with the application regarding how many dwellings are proposed and the type/nature of those dwellings.
- Devaluation of property.
- Loss of view (158 PBI).
- Several dwellings would place strain on the road network and services such as the local health centre and schools.
- Highway/Pedestrian safety and lack of parking.
- Loss of privacy, light and residential amenity (172 PBI).
- Alternative play area unsuitable and unsafe.
- Lack of maintenance of the former play area.

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

Appraisal

The application seeks outline consent with all matters reserved for subsequent approval for a single dwelling on the site.

Principle of Development

Since the application is seeking outline planning consent with all matters reserved for subsequent approval, only the principle of the development is being considered with an indicative plan submitted to show how the site could be developed. The application is accompanied by a supporting statement which suggests that the scale parameters of the dwelling could be as follows:

Height to roof ridge: 7m – 9m

Width: 10m – 12m

Depth: 8m – 10m

The site is within a predominantly residential area and within development limits, therefore the proposed construction of an additional dwelling in this area would, in principle, be in accordance with sustaining an existing settlement and be compatible with surrounding uses.

Several representations have been received expressing concern over the loss of a public green/play area which was meant to be retained as part of the development of the residential estate. Furthermore, concerns have been raised that new development should occur on brownfield land instead and that any replacement facility is unsuitable and unsafe.

Having reviewed relevant planning history, it is understood that the site was formed as a playground as part of the wider residential development of the land by Persimmon but was subsequently transferred to Council ownership. However, following the Executive Board meeting of the Council on 26th February 2018 it was agreed that the site, which at the time comprised of a playground, is declared surplus and could be disposed of. This resulted in the play equipment being subsequently removed. It is possible that this may have been a contributing factor as to why representations have been received concerning the lack of maintenance of the former play area, however, at the time of the site visit, the site did not appear unduly unkept or harmful to amenities.

The proposed development is not allocated as recreational land within the existing adopted LDP and the site contains remnants of physical development from former play equipment and is within an urban setting. Notwithstanding this, a new play area has been secured on land which is approximately 100m to the north-west of the site, derived from new residential development at Dylan Estate (S/36465 refers). This play area obtained planning permission in 2020 under application PL/00833 and is allocated for such purposes by Policy REC3 (POS4) of the LDP and is appropriately located adjacent to a playing field which is also allocated as recreational land within the LDP. Those wishing to access the new play area from Pant Bryn Isaf have direct connectivity via the Public Right of Way which is alongside the site of this current application. No evidence have been submitted to support the claim that the replacement facility is unsuitable and unsafe.

Having regard to the above, it is considered that the principal of residential development on the former playground, on balance, would not result in an unreasonable loss of a community facility or undue harm to the amenities of inhabitants of Pant Bryn Isaf. The proposal, therefore, satisfies Policies SP1, SP16, GP1 and REC1 of the LDP.

Site Layout, Design, Visual Amenity and Residential Amenity

Since this is an outline application with all matters reserved for subsequent approval, it is not possible at this stage to make a detailed assessment of the development. However, the indicative plan shows how the site could be developed, supported with suggested scale parameters.

In this respect, the size and shape of the site would, in principle, be sufficiently large and usable to accommodate a single dwelling that would also be compatible with the spatial character of the area which contains a mixture of house types and plot sizes. The site benefits from a road frontage which allows any new dwelling to have a direct relationship with the wider estate and creates opportunities for design and visual interest. The southern half of the site, nearest to the public road, is relatively flat and enables the site to be developed for residential purposes without significant topographical constraint. This part of the estate has no specific building-line which allows a degree of flexibility in the siting of the dwelling within the plot. There would be sufficient space to accommodate off-street parking and outdoor amenity space. Whilst the land slopes at the rear of the site, this would not be of such gradient as to render it unusable or impractical for use as residential curtilage.

The suggested scale parameters indicate a two-storey dwelling, with perhaps additional space in a loft. The wider estate is predominantly characterised by two-storey, pitched roof dwellings. Given the size of this particular plot, it is considered that a single dwelling, in principle, could be appropriately assimilated within the plot and would not visually appear unduly harmful within its surroundings. Whilst the supporting statement has suggested scale parameters, it is considered reasonable to restrict the permission to the suggested parameters to ensure compatibility with visual and general amenity and to avoid the scope of the permission being too broad, thereby avoiding any doubt or ambiguity.

Dwellings within the estate are mainly finished in red/yellow brick and some use of render with a brown/grey roof tile. Road-fronted properties are open-plan in their layout, meaning that there is little or no boundary treatments facing the road. Subject to conditions requiring the agreement of materials of the dwelling, associated boundary treatments and proposed levels of the dwelling and overall site, it is considered that the proposal would not significantly harm the visual amenities of the area.

The site is adjacent to multiple dwellings and any redevelopment of the plot for residential development must ensure that it would achieve an acceptable standard of amenity for future occupiers but in a manner that would not unduly harm the amenities of neighbouring properties. Several residents have raised concerns regarding the impact of the development upon residential amenity and an assessment has been made with regards to those properties nearest to the site.

Given the size of the plot and the suggested scale parameters, it is considered that a single dwelling could be constructed on the site with sufficient space for private amenity space, parking/turning facilities and infrastructure requirements. In this regard, the proposal does not reflect the characteristics of an overdeveloped site. The indicative plan suggests a development that could have habitable room windows on at least two elevations, namely facing the public road and to the rear, due to the significant depth of the plot.

Any reserved matters submission would need to have careful regard in the overall design and layout of the plot to avoid any unreasonable impacts on those properties immediately adjacent to the site.

No.172 Pant Bryn Isaf has two windows on its side elevation facing the site. The first floor window has been fitted with obscured glass whilst the ground floor window is significantly impacted by the height and proximity of the close-boarded boundary fence. Furthermore, the majority of the application site is to the north of No.172 and, as such, would not result in significant overshadowing or loss of light to this particular neighbour. It is therefore considered that the site could, in principle, be developed without resulting in any significant adverse effect on the amenities of No.172.

No.158 Pant Bryn Isaf is a large two-storey property to the north-east of the site. It is separated from the site by its private drive and the public footpath. Its principal elevation is however south-facing and tapered to face the application site and contains a bay window which is approximately 5m from the site boundary and there are first floor windows which would have views into the site. Users of the path already have a high degree of views into this neighbouring property and it is considered that a new residential property on the application site, which would be further away, would not unreasonably worsen this situation. Any reserved matters application will need to ensure that any habitable room windows of the new dwelling is designed to avoid unreasonable overlooking. Whilst it is acknowledged that if this application is granted, that the occupiers of No.158 would not have views of a playground, the indicative plan suggest that the site could be developed in a manner that would have an acceptable spatial relationship with No.158 Pant Bryn Isaf without appearing dominant or resulting in any unreasonable loss of amenity such as light or outlook. Loss of view is not a material planning consideration.

Whilst any future occupiers of the new dwelling would be aware that there could be some degree of overlooking into the plot from windows on the principal elevation of No.158, or potentially those using the public footpath, the dwelling and its curtilage could be designed to create an acceptable level of internal and external private spaces without unreasonable loss of amenity. It is also noted that the site is within a relatively dense urban area and surrounded by residential properties and the level of amenity for future occupiers is likely to be comparable to other properties in the estate.

Whilst properties backing onto the site (Nos.46 – 50) are on a lower level to the site, the significant depth of the plot is likely to ensure that there would be an acceptable spatial

relationship between any dwelling constructed on the site and those neighbouring properties to avoid any unreasonable amenity issues.

Having regard to the above, it is considered that the site, in principle, could accommodate a dwelling without unreasonably harming the amenities of neighbouring properties or the future occupiers of the new dwelling. The concerns raised by various residents have been reasonably addressed and it is concluded that the proposal satisfies the amenity aspects of Policies SP1, GP1 and H2 of the LDP.

Access, Parking and Highway Safety

Several representations have been received expressing concern over impact on highway safety and parking. The indicative plan shows that potential access would be provide the southern boundary which has direct road frontage. There would be sufficient space within the plot to accommodate the dwelling, amenity space, parking and turning facilities. The site is also within a relatively sustainable location. The Highways Authority have no objections subject to conditions. It is therefore considered that the proposal would not have any significant adverse effect on highway safety.

The site is adjacent to a Public Right of Way (Footpath 36/110). Currently, there are railings separating the site from the path before being adjacent to taller close-boarded fencing which encloses private gardens of other properties. The Public Rights of Way Officer has no objections to the proposal subject to advisory notes and it is not anticipated that the development of the site would unduly inhibit the path. Any subsequent reserved matters application will need to consider the appropriateness of any replacement boundary treatments alongside the path but also the privacy of any future occupiers of the dwelling. To ensure that the site is developed in a holistic manner with full regard to the proximity of the public footpath, a condition requiring details of all boundary treatments to be submitted a part of any subsequent reserved matters application has been recommended instead of being worded as a pre-commencement condition.

Drainage and Utilities/Infrastructure

Since this submission is an outline application, only the principle of the development is to be established. The site is not within a flood risk area, as defined by the Development Advice Maps associated with Technical Advice Note 15: Development and Flood Risk. The application contains limited information concerning drainage, however there is indication that the site is within proximity of a foul sewer and that surface water could be dealt via soakaways.

Whilst several residents have raised concerns regard impact on flooding and drainage infrastructure., the Council's Drainage Officer has acknowledged that the drainage associated with the proposal will require separate consent from the Sustainable Drainage Approval Body (SAB) and, as such, has not raised any adverse comments.

Welsh Water has no objections to the proposal subject to a condition which ensure that surface water does not enter the public sewerage network. In addition to this, it is considered prudent to ensure that any foul drainage connects to the public sewerage system.

Having regard to the above, it is considered that the proposed development and site could, in principle, be supported by adequate drainage facilities which would not result in any harm to amenity, flood risk or the existing drainage infrastructure.

Ecology/Biodiversity

The site is largely devoid from any significant ecological/biodiversity features and currently comprises of mowed grass with a section of hardstanding formerly containing play equipment. There are a couple of relatively young trees located on the site, which appear to have been part of the landscaping of the former play area and overgrown shrubs along the rear boundary. Whilst any future reserved matters submission will need to provide landscaping details, it is considered at this outline stage that the site is not subject to an ecology/biodiversity restraint.

Other Matters

Several additional matters have been raised by third parties and the following response is provided.

The application is an outline submission with all matters reserved for subsequent approval to develop the site for residential purposes. It has been clarified that the application is seeking consent for one dwelling and to avoid any doubt or ambiguity, a condition would be imposed restricting any permission issued to a single dwelling. It is also understood that this would be a private market dwelling.

No evidence has been submitted to support the claim that the development would place a strain on the road network and services such as the local health centre and schools. The Highway Authority have raised no objections to the proposal whilst the development would be limited to a single dwelling.

The application was publicised by way of a site notice erected on the site and in accordance with the relevant regulations. All correspondence received during the public consultation period that raise material planning issues have been carefully considered and addressed within this balanced report.

Concerns have been expressed that the loss of open space to enclosed, built developments, would increase the risk of transmitting diseases and viruses such as COVID-19 and impacting health and wellbeing. Whilst a new dwelling on the site would create an enclosed building and curtilage, this would be a private building/site. Subject to occupiers of the new dwelling complying with the latest government guidance concerning any viruses/diseases, it is considered that that the development would not unduly increase health risks. Access to a much larger parcel of open space is located approximately 100m to the north of the site and this is considered adequate to ensure that the health and wellbeing of the community is reasonably safeguarded.

Devaluation of property is not a material planning consideration.

Planning Obligations

Affordable Housing

The proposed development involves the construction of a private market dwelling. As such, the proposal generates the need for a financial contribution to be made towards affordable housing provision in the area. Normally, applicants would be required to agree to enter into a legal agreement to secure the contributions. However, in this particular case, the applicant is the County Council and has an interest in the land and therefore it is not possible for a

legal agreement to be entered into at this particular stage. Under such circumstances an advisory note would be included to any planning permission issued which explains that the financial contribution would be incorporated into a condition of the land sale.

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

In land use terms, the site is currently a play area albeit devoid of any play equipment. It has been demonstrated that the site is surplus to requirements and after careful consideration of the scheme, it is concluded on balance that the proposed redevelopment of the site for residential purposes is acceptable since alternative provision of a play area of equivalent value has been provided within approximately 100m of the site and is accessible to residents within Pant Bryn Isaf via an existing Public Right of Way adjacent to the site. The proposal therefore would not result in an unacceptable loss of a community facility.

The proposed dwelling within development limits, represents an acceptable form of development which, in this particular instance, would not amount to overdevelopment and would not unreasonably harm the spatial character of the area. This proposal, in principle, is deemed to make efficient use of an underutilised parcel of land to provide an additional dwelling-unit within the community. The proposed development, in principle, would not have an unreasonable adverse effect on visual amenity, residential amenity, highway/pedestrian safety, ecology/biodiversity, drainage or water quality. The proposal would also contribute to the delivery of affordable housing in the area.

Recommendation - Approval

Conditions and Reasons

Condition 1.

Application for approval of reserved matters must be made to the local planning authority before the expiration of three years from the date of the permission, and the development must be commenced not later than whichever is the later of the following:-

- a) the expiration of five years from the date of this permission.
- 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.

Development shall not commence until detailed plans of the layout, scale, appearance and landscaping of the development, together with the means of access thereto, have been submitted to and been approved in writing by the local planning authority.

Reason:

In the interest of visual amenity, residential amenity, general amenity, ecology/biodiversity and highway safety.

Condition 3.

The permission hereby granted is restricted to a single dwelling-unit relating to the land defined by plan SC/Pant-Bryn-Isaf/CCC1 (Scales 1:2500, 1:500, received 31 August 2021) and the scale parameters specified within the document "Supporting Statement Including Design and Access Statement – August 2021 (received 31 August 2021):

Reason:

For the avoidance of doubt or confusion as to the extent of the permission hereby granted and in the interests of visual amenity, residential amenity, general amenity and highway safety.

Condition 4.

Any reserved matters application shall be accompanied by full details, including cross-sections, of the finished floor levels of the approved dwelling and its respective external spaces in relation to existing ground levels. Development shall be carried out in accordance with the approved levels.

Reason:

In the interests of visual amenities, residential amenities and for the avoidance of doubt as to the extent of the permission hereby granted.

Condition 5.

No development shall commence until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interests of visual amenity.

Condition 6.

Any reserved matters application shall be accompanied by full details, including a plan, indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. The boundary treatments shall be completed in accordance with approved plan, details and timetable.

Reason:

In the interests of visual and residential amenities and to safeguard amenities from the use of the adjacent Public Footpath.

Condition 7.

Notwithstanding the requirements of Condition 7 or the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order revoking or re-enacting that Order), no fences, gates, walls or other means of enclosure shall be erected within the curtilage of the dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

Reason:

In the interests of visual and residential amenities and highway/pedestrian safety.

Condition 8.

The new vehicular access shall be laid out and constructed strictly in accordance with Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

Reason:

In the interests of highway safety.

Condition 9.

Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.

Reason:

In the interests of highway safety.

Condition 10.

There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole Pant Bryn Isaf frontage within 2.4 metres of the near edge of the highway.

Reason:

In the interests of highway safety.

Condition 11.

Prior to the commencement of development the written approval of the local planning authority shall be obtained for a scheme of parking and turning facilities within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highway safety.

Condition 12.

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

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

Condition 13.

Foul drainage of the new dwelling hereby approved shall only connect to the public (mains) sewerage network with the infrastructure completed prior to its first beneficial occupation.

Reason:

In the interests of amenities and pollution prevention.

Notes/Informatives

Note 1.

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

In addition, any conditions which the Council has imposed on this permission will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

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

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).

Note 3.

Any prospective purchaser(s) of the land referred to in the Planning Permission PL/02602 will be required in the Contract of Sale to enter into a S106 Agreement with Carmarthenshire County Council for the provision of a planning contribution of £53.35 per square metre of the new dwelling towards affordable housing, in accordance with Policy AH1 of the Local Development Plan and Supplementary Planning Guidance: Affordable Housing.

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PLANNING COMMITTEE

Thursday, 9 December 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, H.I. Jones, K. Madge, B.D.J. Phillips and J.E. Williams

Also in attendance:

Councillor Elwyn Williams who addressed the Committee in respect of Planning Application number PL/02285
Councillor P.M. Hughes, Cabinet Member for Public Protection
Mr G. Morgan, Transport Planner with Atkins Framework

The following Officers were in attendance:

I.R. Llewelyn, Forward Planning Manager
J. Thomas, Senior Development Management Officer [Aman Gwendraeth]
S. Murphy, Senior Solicitor
Z.A. Evans, Senior Technician [Planning Liaison]
G. Glenister, Development Management Officer
C. Greves, Development Management Officer [West]
E. Jones, Development Management Officer
M. Evans Thomas, Principal Democratic Services Officer
K. Evans, Assistant Democratic Services Officer
E. Bryer, Democratic Services Officer

[NOTE:

- At 1:00 pm the Committee's attention was drawn to Council Procedure Rule (CPR) 9 – Duration of Meeting and, as the meeting had been underway for three hours, it was resolved to suspend standing orders, in accordance with CPR 23.1, to enable the Committee to complete the remaining business on the agenda.
- At 1.00 p.m the Committee adjourned for a lunch break and reconvened at 1.45 p.m.]

Virtual Meeting - 10.00 am - 3.40 pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M.J.A. Lewis and G.B. Thomas.

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor / Officer	Minute Number	Nature of Interest
Cllr. B.D.J. Phillips	3: PL/00799 - One Planet Development at land south of Blaenhiraeth, Henllan Amgoed, Whitland, SA34 0SG	Applicant is a business customer.
Cllr. S.M. Allen	3: PL/02848 - Proposed full planning application for development of residential homes, highways access, parking, landscaping and associated infrastructure works at land south of Erw'r Brenhinoedd, Llandybie, Ammanford, SA18 2TQ	Is a voluntary member of Bro Myrddin Housing Association.
E. Bryer	3: PL/02533 - Removal of Condition 11 on E/27795 (one residential dwelling (local needs)) at Gwenlliw, Dryslwyn, Carmarthen, SA32 8RF	Applicant is a relative.

3. DETERMINATION OF PLANNING APPLICATIONS

- 3.1 **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:-

E/38576	Single storey dwelling with habitable roofspace and integral garage at land adjacent to 15 Plas Gwyn Road, Penygroes, Llanelli, SA14 7RY
PL/00799	<p>One Planet Development at land south of Blaenhiraeth, Henllan Amgoed, Whitland, SA34 0SG</p> <p>(NOTE: Councillor B.D.J. Phillips having earlier declared an interest in this application, re-declared that interest, then left the meeting and took no part in its determination)</p> <p>A representation was received from the local member objecting to the application which re-iterated some of the objection points detailed within the Head of Planning's written report and included specific concerns in relation to the water supply and the management of the chicken flock on site.</p> <p>The Development Management Officer responded to the issues raised during consideration of the report.</p>

PL/02848	<p>Proposed full planning application for development of residential homes, highways access, parking, landscaping and associated infrastructure works at land south of Erw'r Brenhinoedd, Llandybie, Ammanford, SA18 2TQ</p> <p>(NOTE: Councillor S.M. Allen having earlier declared an interest in this application, re-declared that interest, then left the meeting and took no part in its determination).</p>
PL/02849	<p>Approval of all reserved matters in respect to the development of new light industrial and office buildings on Plot 3 including associated ancillary buildings/structures, landscaping and supporting infrastructure at Cross Hands East Strategic Employment Site, Plot 3, Cross Hands</p>

3.2 RESOLVED that the following application be refused for the reasons as detailed within the Report/Addendum of the Head of Planning and or reported at the meeting:-

S/35028	<p>Two storey dwelling at 15A Bryncaerau, Trimsaran, Kidwelly, SA17 4DW</p>
PL/02285	<p>Demolition of existing (partially built) stable block to be replaced by a residential dwelling (local need) at land opposite Ty Liliwen, Nantycaws, Carmarthen, SA32 8EP</p> <p>A representation was received from the local member in support of the application on the basis:</p> <ul style="list-style-type: none"> • That the application was within the confines of the new village settlement. • The applicants would not be able to afford to leave the parental home should the application be refused. • The build adheres to the scale, appearance and landscape of the area. • That the application meets the criteria of affordable housing. <p>The Development Management Officer responded to the issues raised during consideration of the report.</p>
PL/02533	<p>Removal of Condition 11 on E/27795 (one residential dwelling (local needs)) at Gwenlliw, Dryslwyn, Carmarthen, SA32 8RF</p> <p>(NOTE: E. Bryer (Democratic Services Officer) having earlier declared an interest in this application, re-declared that interest, then left the meeting during its consideration).</p> <p>A representation was received from the local member in</p>

	<p>support of the application on the basis:</p> <ul style="list-style-type: none"> • That due to personal circumstances and current financial situation the applicant was facing the prospects of losing his home. • The property was located in the middle of a cluster of houses known as Nantarwenlliw and that other properties in the vicinity had not been subject to the affordable housing clause. • Planning should not have been granted under the terms of affordable housing due to the scale and location of the property as this rendered it outside the realms of affordability for local persons. <p>The Development Management Officer responded to the issues raised during consideration of the report.</p>
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4. PLANNING SERVICE PERFORMANCE - QUARTER 2

The Committee considered the Planning Service Performance Report for Quarter 2. This report reflected Quarter 2 for the period between 1st July 2021 and 30th September 2021. It also included the comparative quarterly data for Quarter 1 and 2020/21.

It was asked why performance indicators number 14 (Percentage of closed enforcement cases investigated within 84 days) and 15 (Percentage time taken to investigate enforcement cases (in days)) showed a deterioration in Quarter 2 compared to that in Quarter 1.

The Committee was advised that the figures reflected the challenges around enforcement however figures were an interim imbalance which would improve once the revised policy and processes were implemented. It was stated that it was hoped that Quarter 3 and year-end figures would show an improvement. Additionally, long term resourcing issues were being addressed and resources would be channelled to reduce the current enforcement backlog.

RESOLVED that the report be received.

5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON:-

5.1. 11TH NOVEMBER, 2021

RESOLVED that the minutes of the meeting of the Committee held on the 11th November, 2021 be signed as a correct record.

5.2. 23RD NOVEMBER, 2021

RESOLVED that the minutes of the meeting of the Committee held on the 23rd November, 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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