

**Cyngor Sir Caerfyrddin  
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO  
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a  
Chynaliadwyedd  
Adran Lle, Seilwaith a Datblygiad  
Ecomonaidd**

**Report of the Head of Place  
and Sustainability  
Place, Infrastructure & Economic  
Development Department**

**07/11/2024**

**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.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>07.11.2024</b>
<b>REPORT OF:</b>	<b>HEAD OF PLACE AND SUSTAINABILITY</b>

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	<b>PAGES</b>
<b>PL/07181</b>	<b>An application for the conversion of an agricultural building into mixed use to include events and wedding venue the erection of two buildings as extensions at Green Grove Farm (Retrospective) [Resubmission of PL/05233 Refused on 04/12/2023] at Greengrove, Llangadog, SA19 9AS</b>	<b>9-19</b>
<b>PL/07742</b>	<b>Change of use of barn to holiday letting cottage at Gellilednais, Uplands, Carmarthen, SA32 8DZ</b>	<b>20 - 26</b>
<b>PL/08091</b>	<b>Variation of Condition 1 on S/40692 (Proposed construction of up to 202 units with associated landscaping and infrastructure works) to allow a further 5 years for the submission of reserved matters at Cwm Y Nant (Land North of Gors-Fach), Dafen, Llanelli, SA14 8NB</b>	<b>27 - 48</b>
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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>PL/07181</b>
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<b>Application Type</b>	Full planning permission
<b>Proposal</b>	An application for the conversion of an agricultural building into mixed use to include events and wedding venue the erection of two buildings as extensions at Green Grove Farm (Retrospective) [Resubmission of PL/05233 Refused on 04/12/2023]
<b>Location</b>	Greengrove, Llangadog, SA19 9AS

<b>Applicant(s)</b>	Carwyn Rees
<b>Officer</b>	Kevin Phillips
<b>Ward</b>	Llangadog
<b>Date of validation</b>	13/02/2024

## Reason for Committee

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

## Site

The application site is a farmyard area adjacent and to the North west of Greengrove farm house, Llangadog, which is approximately 2 kilometres along the A4069 main road from the village of Llangadog and approximately 5 kilometres south west along the same A road from Llandovery.

The application building is a former modern agricultural building which is among a range of 3 stone outbuildings which have been converted or are under construction for use as holiday accommodation and the dwelling Greengrove is approximately 90 metres to the South east. The application site is accessed via a driveway from the a4069, that was altered as part of the planning permission for the holiday conversions. A bridleway also exists along part of the access track from the A4069 which leads to the East across agricultural land.

Glasallt fawr is a centre that accommodates, cares and educates adults with learning disabilities and is located approximately 260-290 metres from the nearest accommodation blocks at the establishment to the North east from the application site. Land between Glasallt fawr and the application site is primarily agricultural land that rises from South west to North

east, which is punctuated by mature trees, hedgerows and woodland. Access to the Glasallt fawr is along a 600-metre track that leads from the A4069.

## Proposal

The proposed development is a retrospective application for the conversion of an existing modern agricultural barn with two extensions for use as a wedding and events venue, and the provision of a supporting car parking area to the South across the farm track leading to the site.

## Planning Site History

PL/05233 - An application for the conversion of an agricultural building into mixed use to include events and wedding venue (Retrospective) the erection of two buildings as extensions at Green Grove Farm - Full Refusal - 04/12/2023

PL/05280 - Removal/Variation of Condition 7 on PL/00543 (to preserve the use of the existing roadway for public use by horse riders, cyclists and walkers, along with the use for crossing livestock and in the event of an emergency) - Removal / Variation of Condition Granted - 03/11/2023

PL/01131 - Discharge of Condition 14 on PL/00543 (New proposed access to Greengrove, conversion of 3 no barns to self-contained holiday accommodation and the installation of a biomass boiler within an existing building to heat the house and the barns) drawings, lighting details - Discharge of Planning Condition Granted – 11/03/2021

PL/00543 - New proposed access to Greengrove, conversion of 3 no Barns to self-contained holiday accommodation and the installation of a biomass boiler within an existing building to heat the house and the barns - Full Granted – 15/12/2020

## Planning Policy

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

SP1 - Sustainable Places and Spaces

SP14 - Protection and Enhancement of the Natural Environment

SP15 - Tourism and the Visitor Economy

GP1 - Sustainability and High-Quality Design

EMP3 - Employment – Extensions and Intensification

EMP4 - Farm Diversification

TR3 - Highways in Developments - Design Considerations

TSM3 - Small Scale Tourism Development in the Open Countryside

EQ6 - Special Landscape Areas

EQ4 - Biodiversity

EP1 - Water Quality and Resources

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040](#), [Planning Policy Wales \(PPW\) Edition 12](#), and associated [Technical Advice Notes \(TANs\)](#) published by Welsh Government.

## Summary of Consultation Responses

**Myddfai Community Council** - object to the development on grounds of noise disturbance and light pollution, along with concerns regarding the volume of sewerage generated by the development and lack of information as to its disposal and whether it complies with phosphate pollution guidance and the lack of detail regarding the potential number of people that could be in attendance.

**Local Member(s)** - Councillor A Davies has not commented to date.

**Head of Transportation & Highways** – no objection subject to the imposition of conditions.

**Public Rights of Way Officer** – raise no objections to the scheme but confirm that registered bridleway 54/4 crosses the access road to the proposed development. Due to the increase in traffic utilising the access road as a result of the proposal a condition requiring that signage is installed to indicated the presence of the bridleway to all property users and visitors.

### **Head of Public Protection**

**Noise** - Following detailed consideration of the development's noise impacts, including out of hours monitoring on various occasions in both 2023 and 2024 and requests for various mitigation measures, the proposal is now considered to be acceptable subject to the imposition of conditions to ensure adherence with the submitted Noise Management Plan and other noise restrictions.

**Contaminated Land** - The proposed development involves the conversion of an agricultural building into a mixed-use building, including the erection of two extensions It is highlighted that the site is situated at or within close proximity to an area of unknown filled ground. It is recommended conditions in relation to the discovery of contamination at the site and the importing of suitable materials for the proposal is recommended.

**Natural Resources Wales** - raise no objection but advise that the site is within the catchment of the River Tywi Special Area of Conservation (SAC) and therefore the Council must consider whether the proposals, as submitted, would increase the volume of foul discharge from the site and whether the proposed foul drainage arrangements is unlikely to result in a significant effect on the river Tywi.

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

## Summary of Public Representations

The application was the subject of notification by way of site notice publication. 11 representations were received objecting to the proposed development and the matters raised are summarised as follows:

- Safeguarding issues in terms of the fear of strangers entering from the events at the application site into the grounds of Glasallt Fawr
- The impacts of loud noise/music from the events held at the application site upon the living conditions of residents with learning disabilities and special needs at Glasallt Fawr

- The proposed development will have an economic impact upon other businesses in the locality and the suitability of Glasallt Fawr as a suitable business for adults with learning disabilities
- The access and accessway to/from the site is unsuitable for vehicles that will utilise the venue

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

## Appraisal

### Principle of development

This is a resubmission of an application for retrospective permission for a wedding and events business that was previously refused (PL/05233) on grounds of noise and disturbance impact from the proposal upon the living conditions of the local residents at Glasallt fawr to the North of the application site. Specifically, the previous reason for refusal stated;

*The proposal, if approved would be contrary to Policies GP1 (Sustainability and High Quality Design) and EP2 (Pollution) of the Carmarthenshire Local Development Plan 2014 in that the proposed use would generate an unacceptable level of noise disturbance to the detriment of the living conditions of nearby local residents, especially having regard to the sensitivity of the nearest noise sensitive receptor. The developer has not demonstrated that the change in noise levels can be adequately addressed having regard to nearby sensitive receptors as advocated in paragraphs 6.7.5-6.7.6 of Planning Policy Wales (11th edition) February 2021.*

The application clearly relates to a tourism proposal in the open countryside and so policies SP15 and TSM3 are the principal policies that apply.

In relation to TSM3, as well as relating to new tourism developments, this Policy also applies to appropriate extensions to existing facilities. Planning approval was gained on the site (PL/00543), for the conversion of three barns to holiday accommodation. This has already been implemented. The proposal is therefore viewed within the established context of a holiday related use and is considered an appropriate extension of that use, utilising an existing former agricultural building with only relatively minor extensions to that building necessary. It is required that the proposal meets the criteria of Policy TSM3, and criterion b requires that the site is directly related to a defined settlement. However, whilst it is acknowledged that the location is not strictly directly related to a defined settlement with Llangadog 2 kilometres away, the site makes use of an existing building on the site which already benefits from a wider holiday use and the site has specific attributes that lends itself to a rural wedding/events venue. On balance therefore it is considered that there is policy support for a development of this nature at this location in line with Policy TSM3.

### Amenity Impacts

“Future Wales: The National Plan 2040” and the latest Planning Policy Wales, Edition 12, recognise the importance of the tourism sector to the rural economy. However, new tourism developments should be sympathetic in nature and scale to the local environment. The planning system encourages tourism where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities. It also recognises that there may be a



need to limit new development to avoid damage to the environment or the amenity of residents and visitors.

The proposal is retrospective and there has been some limited business activity at the site for wedding and other events and the noise and disturbance from the operation of the business during those occasions has resulted in an unacceptable impact in terms of noise and general disturbance from the events at the site for residents at Glasallt fawr which resulted in the previous refusal of planning permission. However, following the resubmission of an improved Noise Impact Assessment and supporting Noise Management Plan and respective site monitoring by Environmental Health Officers, the resubmitted application has been enhanced and improved to a degree that the Environmental Health section in charge of Noise impacts no longer raise objection to the scheme. The NMP has a significant element of restrictions and mitigation measures that now results in the ability to operate events at the venue within acceptable noise parameters. These include measures such as opening times, event area and external access restrictions, event contact details, appointed Noise Management Officer for each event, amplified/live music restrictions and imposition of noise limiters, hours restrictions for outside music/speech, management of customer dispersal at end of event, monitoring and staff training.

Furthermore albeit a separate matter, Greengrove Barns Partnership has recently gained a Premises Licence for Greengrove farm for the supply of alcohol, live music/recorded music/performance of dance and late-night refreshments.

### Landscape and Visual Impact

The proposed development utilises an existing agricultural building with a couple of extensions to the eastern side of the building and there is car park at a lower level to the South of the building, which has access from the main track leading to the site and allows for further access ascending to the eastern element of the venue building, 3 converted outbuildings for holiday use and Greengrove farmhouse. The changes to the agricultural building are primarily the large glazed window to the South elevation and extensions and it is considered that these aspects have limited change to the original building and have no significant landscape or visual harm. A car parking facility to serve the needs of the wedding and events venue has been created, the site is at a lower level and the land has been levelled with the soil moved to create a bund to the South and East which facilitates in removing any views close by and from distance of vehicles parked at the site. The proposed development is not considered to have any significant impact upon the character and appearance of the area

### Privacy Impacts

There are no properties nearby and the closest premises is Glasallt fawr at approximately 260 metres rising across agricultural fields and woodland to the North. It is not considered that there is any loss of privacy as a result of the proposal due to this distance and the intervening vegetation. Measures are proposed to ensure that event attendees have no access to the north of the agricultural barn.

### Biodiversity Impacts

The proposal is the conversion of a modern agricultural building and the levelling of agricultural land for a car parking facility to serve the business's needs. It is not considered that the proposed development will have any impact upon the biodiversity interests of the

locality. The Council's Planning Ecologist is reviewing the proposed foul sewerage arrangements and its impact upon the river Tywi and an update will be provided by way of an addendum.

### Highway Impacts

The previous permission for the holiday let conversions (PL/00543) was granted on the basis of the creation of a revised access onto/from the A4069. The proposed development would utilise this same revised access and following consideration by the Highways Officer, no objections are raised subject to the imposition of conditions to further secure the revised access highways requirements. The development is considered to be supported by a sufficient area of car parking that would not lead to any highway safety concerns.

### **Response to the objections received**

#### **Safeguarding issues in terms of the fear of strangers entering from the events at the application site into the grounds of Glasallt Fawr**

The application site is sufficiently distant from the grounds at Glasallt fawr with a sloping field, hedgerows, and woodland in between, and this distance of 260-290 metres is satisfactory to be confident in considering that there is unlikely to be any desire by customers to wander from events at the application site towards Glasallt fawr.

#### **The impacts of loud noise/music from the events held at the application site upon the living conditions of residents with learning disabilities and special needs at Glasallt Fawr**

The proposed development has progressed and improved following the previous application's refusal and the enhanced Noise Impact Assessment and Noise Management Plan has resulted in significant improvements, including operational restrictions and mitigation measures that now results in the ability for the events to operate at the venue within acceptable noise parameters. The most recent response to consultation from the Head of Public Protection affirms this and determines that the business can operate within restrictions without resulting in a significant impact upon the residents at Glasallt fawr.

#### **The proposed development will have an economic impact upon other businesses in the locality and the suitability of Glasallt Fawr as a suitable business for the care and development of adults with learning disabilities**

It is not considered that the open market competition between this proposal and similar businesses in the locality is a material planning consideration and as it is determined that the proposed development at this location is an appropriate venture within the relevant planning parameters it is also not considered that it will impact Glasallt fawr as a centre that will be suitable as a business for the care and development of adults with learning disabilities

#### **The access and accessway to/from the site is unsuitable for vehicles that will utilise the venue**

The proposal has been considered in detail by the Head of Transport & Highways and it has been concluded from their expertise that the proposed development at this location does not raise any significant objection subject to the application of appropriate highways related conditions.

## Planning Obligations

None required.

## Well-being of Future Generations (Wales) Act 2015

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

## Conclusion

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

On balance, weighed up against national and local planning policies for tourism related development, sustainability and nature conservation, there is now no specific objections to the proposed development. After careful consideration of the scheme as submitted it is concluded on balance that the wedding and events venue is of an appropriate scale and design that will be in keeping with its rural location. Further, the proposal will support the rural economy and tourism in the wider area and will not have an unacceptable impact upon visual and residential amenity, highway and pedestrian safety or biodiversity, and therefore the development is recommended for approval subject to the below conditions.

## RECOMMENDATION - Approval

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### Conditions & 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 as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 15th February 2024

Reason:

To comply with Section 73 A of the Town and Country Planning Act (as amended)

#### Condition 2

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

- Location Plan, received 23 February 2024
- Block Plan, received 16 February 2024
- Existing Elevations, received 29 January 2024
- GGB Extension A-Existing elevation, received 29 January 2024
- Extension A-Existing Floor Plan, received 29 January 2024
- GGB Extension B-Existing elevation, received 29 January 2024
- Access and Design Statement -January 2024, received 7 February 2024
- Noise Management Plan, received 24 July 2024

Reason:

For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

### **Condition 3**

The development shall be implemented strictly in accordance with the recommendations and measures contained in the Noise Management Plan (NMP) for Green Grove Barns, received on 24 July 2024 at all times.

Reason:

To safeguard the living conditions of neighbouring occupiers in accordance with Policy EP2 of the Carmarthenshire Local Development Plan 2014.

### **Condition 4**

If the Authority receives a justified noise complaint with respect to the approved development, the operator shall within a period of 1 month of notifying the operator, provide evidence demonstrating strict adherence to the Noise Management Plan. This evidence must be provided and agreed upon by the Local Planning Authority. If the noise limits are not achieved, the submission shall specify further mitigation measures to ensure compliance with the specified noise limits before further operation. The development shall be operated in accordance with the agreed mitigation measures.

Reason:

To safeguard the living conditions of neighbouring occupiers in accordance with Policy EP2 of the Carmarthenshire Local Development Plan 2014.

### **Condition 5**

All sound amplification equipment used by the premises shall use a noise limiting device, which shall be properly secured so that it cannot be tampered with in any way. Details of the noise limiting device and the method of securing it to ensure that it cannot be tampered with shall be submitted and approved in writing the Local Planning Authority within 3 months of the date of this permission.

Reason:

To safeguard the living conditions of neighbouring occupiers in accordance with Policy EP2 of the Carmarthenshire Local Development Plan 2014.

### **Condition 6**

The noise limiting device shall only be reset in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason:

To safeguard the living conditions of neighbouring occupiers in accordance with Policy EP2 of the Carmarthenshire Local Development Plan 2014.

### **Condition 7**

Prior to any use of the new access by vehicular traffic, a visibility splay of 2.4 metres x 215 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. In particular, there shall at no time be any obstruction above 0.9 metres within this splay area.

Reason:

In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 8**

The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 9**

The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 10**

Within 3 months of the date of this permission, details of 3. no passing bays, giving a carriageway width of 5.5 metres over a 10 metres linear length of the road, shall be provided within the private access road to the site and thereafter shall be retained, unobstructed, in perpetuity.

Reason:

In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

## **Condition 11**

Within 3 months of the date of this permission, details of signs to be erected each end of the accessway that crosses the bridleway 54/4, shall be submitted for approval by the Local Planning Authority. The signs shall be erected within 1 month of the details approved and shall be retained thereon in perpetuity.

Reason:

In the interests of highway safety and to accord with policy TR3 of the Carmarthenshire Local Development Plan 2014.

## **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](http://www.carmarthenshire.gov.uk)).

### **Note 3**

The Sustainable Drainage Approval Body (SAB) has identified that this project application requires a full SuDS Application because the proposed development has a construction area greater than 100m<sup>2</sup>. Therefore, the development, as required under Schedule 3 of the Flood and Water Management Act 2010, must implement SuDS infrastructure in accordance with Statutory SuDS Standards. As such, a full SuDS application for this

development must be submitted for assessment and approved by the Sustainable Drainage Approval Body (SAB) at Carmarthenshire County Council. Further information can be found at [www.carmarthenshire.gov.wales/sab](http://www.carmarthenshire.gov.wales/sab).

**Note 4**

Condition 9 on Planning Permission PL/00543 has not been fully complied with in that further hedgerow translocation/trimming is required to achieve the full specified visibility splays, the Local Planning Authority shall investigate this and pursue the matter further if not adhered to within a reasonable time period.

**Note 5**

The Applicant/Developer is advised that public footpath 54/4 is located along the access track to the development hereby approved. It is a legal requirement not to obstruct or encroach upon the public footpath either during construction or at any time thereafter. Please be aware that the planning permission hereby granted does not authorise any work or alteration to the public footpath.

<b>Application No</b>	<b>PL/07742</b>
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<b>Application Type</b>	Full planning permission
<b>Proposal</b>	Change of use of barn to holiday letting cottage
<b>Location</b>	Gellilednais, Uplands, Carmarthen, SA32 8DZ

<b>Applicant(s)</b>	Dylan Roberts
<b>Agent</b>	Brown Partnership - Nick Brown
<b>Officer</b>	Adam Davies
<b>Ward</b>	Llangyndeyrn
<b>Date of validation</b>	20/05/2024

## Reason for Committee

The application is being reported to Planning Committee as a close relative of the applicant works in the Planning Service.

## Site

The site is a disused traditional stone barn forming part of the farm complex of Gellilednais. The site is 5km South of Carmarthen and has the Wales Coastal Path running through the yard providing a link to the coast. The site is approximately 370m to the North East of the Grade II Listed Uplands Mansion. The barn itself is not listed, however the farm was first recorded in the 17th Century, so has some historic and cultural interest.

The site is accessed via an unclassified single track road with passing places, which extends from the A484 to the C2074. The road appears to be lightly trafficked beyond the Towy Castle Residential Care Home, the only other properties served being Uplands Mansion and two bungalows on the C2074 junction.

The site has a stream and a small working waterwheel in the curtilage which is surrounded by trees which are proposed to be retained.



## Proposal

The application seeks permission to change the use of a disused barn to holiday accommodation.

The holiday accommodation comprises the following:-

Ground Floor – one double bedroom w/dressing room and en-suite; Kitchen/Dining/Living room; Lounge; Plant Room; and Hall

The design is in keeping with the intact traditional appearance of the barn and where newer additions have been made over the years, they are dealt with sensitively in the proposal. The main body of the barn is constructed of high quality stonework and this is to be retained intact. The stone built rear extension is to be extended by 1.5m to accommodate the kitchen/dining/living room; and the roof of the stone built front extension is to be raised by 600cm (eaves 1.1m) in order to provide the head room for the ensuite / dressing room. The existing additions are not fit for residential purposes, hence why the proposal proposes sensitively amended structures which reflects its utilitarian design and is proposed to be clad with timber walls.

The area to the rear of the barn is proposed to be used as amenity space for the holiday accommodation which provides an area which can be used for quiet enjoyment.

A Structural Survey confirms that the barn is structurally sound and and advises the existing barn is eminently suitable for refurbishment.

## Planning Site History

W/34565 - Change of Use of Barn to Holiday Letting Accommodation - Full Granted - 22/11/2016

## Planning Policy

Policy SP1 - Sustainable Places and Spaces

Policy GP1 - Sustainability and High Quality Design

Policy TSM4 - Visitor Accommodation

Policy H5 - Adaptation and Re-use of Rural Buildings for Residential Use

### National Planning Policy

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 12](#), February 2024 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government

## Summary of Consultation Responses

**Local Members** - No comment to date.

**Town Council** - No comment to date.

**Public Protection** - No objection. Subject to Conditions.

**Highways** - No objection. Subject to Conditions.

**Dwr Cymru Welsh Water** - No objection.

**NRW** - No Objection. Advice given to applicant.

**Heneb** - No Objection. Subject to Conditions.

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

## Summary of Public Representations

The proposal was publicised via a site notice. No responses have been received to date.

## Appraisal

After careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date, it is considered that the barn is primarily of traditional stone construction. The proposal is sensitive to the design and character of the barn and utilises existing apertures and features. The barn is structurally sound so can be converted with only minor external works.

Policy TSM4 on holiday accommodation is clear that proposals outside limits accommodation will only be permitted where the scheme is for the re-use of rural buildings using the same considerations as a residential conversion (i.e. that the building is structurally sound, substantially intact and is of sufficient size to accommodate the proposed use without extensive alteration, extension or re- construction and the building demonstrates and retains sufficient quality of architectural features and traditional materials with no significant loss of the character and integrity of the original structure.) The scheme would comply with this policy as it includes the sensitive re-use of the barn in accordance with Policy TSM4 and Policy H5.

On balance, the proposal is sensitive to the building and would have economic benefits for the County in terms of encouraging visitors. The site is not likely to have an adverse impact on third parties or highway safety therefore is recommended for approval.

## Well-being of Future Generations (Wales) Act 2015

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

## Conclusion

After careful examination of the site, together with the representations received to date, the proposed development is considered to be acceptable and in compliance with the key policy

objectives of the Authority's LDP as well as those of National Planning Policy. The proposal is therefore recommended for Approval.

## RECOMMENDATION - Approval

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### Conditions & 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 shall be carried out in accordance with the following approved plans and documents:

- Structural Appraisal of Barn - September 2024

received 07/10/2024

- Block and Location Plans [BP656.5c]

received 07/06/2024

- Proposed Floor Plan [BP656.4c]
- Proposed Elevations [BP656.3c]
- Traffic Management
- Bat Survey Report

received 14/05/2024

*Reason:* For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

#### Condition 3

No development shall take place (including clearance, stripping out or demolition) until a photographic survey of the existing building(s) has been carried out in accordance with guidelines first provided by the Local Planning Authority. The resulting photographs shall be submitted to the Local Planning Authority and sent to the regional Historic Environment Record, currently held and maintained by the Dyfed Archaeological Trust, the Shire Hall, Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AF, (Tel 01558-823121).

*Reason:* To maintain a historic record of the building in the interests of cultural heritage and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014.

#### **Condition 4**

The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

*Reason:* In the interest of highway safety and in accordance with policy TR3 of the Carmarthenshire Local Development Plan 2014.

#### **Condition 5**

In the event that the presence of contamination is encountered when carrying out the approved development immediate contact must be made with the Local Planning Authority and works must cease in that area. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation strategy must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the remedial works identified in the approved remediation strategy, a verification report that demonstrates compliance with the agreed remediation objectives and criteria shall be produced and is subject to the written approval of the Local Planning Authority, prior to commencement of use of the development.

*Reason:* To ensure that former land uses are fully considered and remediated where necessary in the interests of health, safety and residential amenity and to accord with Policy EP2 of the Carmarthenshire Local Development Plan 2014.

#### **Condition 6**

In the event that soil, stones or similar materials are imported to site they must be suitable for use. Details of any materials to be imported to site must be provided in writing to (and agreed with) Environmental Protection via the Local Planning Authority prior to importation. The developer should refer to the WLGA guidance document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems' (2013), which presents the specific requirements for imported materials. Reference should also be made to section 4 of the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2023).

*Reason:* To ensure that former land uses are fully considered and remediated where necessary in the interests of health, safety and residential amenity and to accord with Policy EP2 of the Carmarthenshire Local Development Plan 2014.

#### **Condition 7**

The development hereby permitted shall be carried out strictly in accordance with the enhancements described in section 4.2 in locations shown in appendix 5 of the submitted bat survey report

*Reason:* In accordance with Policy SP1 Sustainable Places and Spaces and SP14 Protection and Enhancement of the Natural Environment of the Carmarthenshire Local Development Plan 2014.

### **Condition 8**

The residential unit shall be used as a holiday let only as defined as Class C3 in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification, and for no other purpose within Class C3.

*Reason:* To clarify the nature of the development and exert control over any future changes to ensure compliance with policy.

### **Condition 9**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C, D, E, F G, H other than that hereby approved, shall be carried out without the written permission of the Local Planning Authority.

*Reason:* To exert control over the future development of the site to ensure that the character and appearance is maintained and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014.

## **Notes / Informatives**

### **Reasons for Granting Planning Permission**

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

The proposed development complies with Policy GP1 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that it is appropriate in terms of scale and design, will not cause unacceptable loss of amenity to neighbouring uses and will not result in any unacceptable highway impacts.

It is considered that the proposed development complies with Policy TR3 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that it is appropriate in terms of scale and design and will not result in any unacceptable highway impacts.

It is considered that the proposed development complies with Policy EP2 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the potential contaminated land impacts are minimised.

It is considered that the proposed development complies with Policy EQ4 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the impacts

caused by the proposal have been satisfactorily mitigated, acceptably minimised and appropriately managed to include net enhancements.

It is considered that the proposal complies with Policy H5 of the LDP in that the barn is proposed as a holiday unit and is structurally sound, substantially intact and is of sufficient size to accommodate the proposed use without extensive alteration, extension or re-construction. The conversion retains the character of the barn.

It is considered that the proposal complies with Policy AH1 of the LDP as the unit is a holiday unit and therefore a contribution towards affordable housing is not necessary

### **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](http://www.carmarthenshire.gov.uk)).

### **Note 3**

This approval does not allow for the obstruction of or development over public footpath 29/12 which affects the development site. You are advised to contact the County Council's Rights of Way Office if you have any queries in respect of the public footpath.

<b>Application No</b>	<b>PL/08091</b>
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<b>Application Type</b>	Removal/variation of conditions
<b>Proposal</b>	Variation of Condition 1 on S/40692 (Proposed construction of up to 202 units with associated landscaping and infrastructure works) to allow a further 5 years for the submission of reserved matters
<b>Location</b>	Cwm Y Nant (Land North of Gors-Fach), Dafen, Llanelli, SA14 8NB

<b>Applicant(s)</b>	Carmarthenshire County Council
<b>Agent</b>	Asbri Planning Ltd - Iwan Rowlands
<b>Officer</b>	Paul Roberts
<b>Ward</b>	Bynea;Llwynhendy
<b>Date of validation</b>	12/08/2024

## Reason for Committee

This application is being reported to the Planning Committee on the basis that the County Council is the landowner and has a financial interest in the application.

## Site

The application site known as Cwm Y Nant is located in Dafen, Llanelli approximately 2.5km to the north-west of Llanelli Town Centre. It is located to the east of Dafen Trade Park and north/north-east of the neighbouring residential developments of Gors Fach and Bryncoch. The site is irregular in shape and consists primarily of greenfield land that extends to an area approximately 8.7 hectares.

The site consists of a number of field enclosures that slope down gradually towards its north-western boundary with Nant y Gro. They comprise grassland habitats consisting of a mix of marsh, scrub and semi-improved fields that are bordered by mature broadleaved woodland areas and a network of drainage ditches. The southern part of the site includes a grassed amenity area located in the neighbouring Bryncoch housing estate that is bounded on three sides by existing residential properties, and separated from the main body of the site by established trees and hedgerows. The wider site has a number of gated pedestrian accesses on its boundaries, however, it doesn't currently benefit from a formal vehicular access.

The site is situated a short distance from the A4138 which provides a direct link from the M4 motorway into Llanelli Town Centre. The surrounding area consists of a mix of land uses with Dafen Trade Park located directly to the west and north of the western part of the site. The area to the south of the site is predominantly residential in character with agricultural land and areas of countryside to the north and east.

## Proposal

The application site currently has outline planning permission for the residential development of up to 202 units together with associated landscaping and infrastructure works which was granted on 29 July 2021 under planning application reference S/40692. All detailed matters relating to the development are reserved for future consideration under the planning permission granted whereby it establishes the principle of the development of the site for residential purposes. The three-year time period for the submission of the reserved matters specified in condition no. 1 of the planning permission expired on 29 July 2024 and the current application seeks to vary the wording of the condition to allow a further 5 years for the submission of the reserved matters.

The previous and current applications have been accompanied by a concept masterplan of the site which seeks to show how it could be developed in an acceptable manner, including potential access routes into the site. It shows the northern part of the site being free of built development and consisting of a drainage attenuation pond that will accommodate the surface water flows from the development prior to discharge to an existing watercourse, and a community play area.

The masterplan shows a new vehicular access to the development via Nant Y Gro which currently serves Dafen Trade Park and a number of nearby residential properties. The road will extend through the site in a south easterly direction branching off into secondary streets that will serve the residential dwellings throughout the wider site. The area of the site in the Bryncoch housing estate will be accessed separately via the Gors-Fach and Bryncoch estate roads that currently bound this part of the site. There will be no direct vehicular access from this part of the site to the main development, albeit both areas will have active travel links in the form of pedestrian and cycle facilities. Further active travel links to the development are shown from the existing Bryncoch estate. The masterplan layout includes provision for potential future accesses to the neighbouring land and field enclosures to the east and south-east of the site which, together with the application site, are allocated for residential development purposes in the Council's adopted LDP.

The masterplan shows the indicative layout consisting of a mix of detached, semi-detached and terraced dwellings, albeit no further details pursuant to the dwelling types are provided save for details of the proposed scale parameters of the properties. The dwellings will primarily consist of two and two and a half storey dwellings.

Whilst layout is a reserved matter, a fundamental objective of the masterplan is to deliver a design and layout that will provide a sense of place in the development with the units being evenly spaced across the site and separated in key areas by existing landscape features, and the mature belts of hedgerows and broadleaved woodland that currently traverse the land. Two key areas of public open space are identified with these being situated in the northern part of the site, as referred to above, as well as the existing grassed amenity area in the Bryncoch housing estate.



The masterplan shows the wider development being divided into a number of development parcels with the dwellings therein being set around the site's boundaries and the estate road. Whilst the landscaping details are reserved for future consideration, the masterplan recognises the importance of seeking to retain the existing landscape features within the site both in terms of their ecological and landscape value, as well as assisting in contributing to the creation of a strong sense of place in the wider development. In this regard, it seeks to retain existing trees and hedgerows within the site while also seeking to ensure that the sustainable surface water drainage system will be an integral part of the design of the development, and its provision in the form of green infrastructure will seek to maximise both the amenity and biodiversity benefits of the development.

Similar to the previous application, the submission has been accompanied by a suite of supporting information that include, amongst others, updated ecological, transport and drainage assessments of the development. They also include an assessment of potential ground contamination and coal mining risks to the development, as well as an assessment of its air quality and noise impacts.

The application has also been accompanied by a Net Benefit for Biodiversity Report in response to the planning policy requirements of the latest version of Planning Policy Wales (Version 12) published in February of this year since the granting of the original outline permission. The report demonstrates how the proposal has proactively considered the biodiversity and wider ecosystem impacts of the development throughout the design process of the masterplan, together with the application of the 'step-wise' approach required by the new policy advice. It confirms that the permanent loss of habitats within the site such as trees, scrub and grassland will be compensated for, whereby they will be replaced equal to or above a 1:1 ratio (or 3:1 for trees). Where habitats cannot be replaced at this level, other habitats within the site will be enhanced to improve their biodiversity value and deliver an overall net benefit for biodiversity and promote ecosystem resilience.

## **Planning Site History**

The following planning history is of relevance to the application site:

S/40692 - Proposed construction of up to 202 units with associated landscaping and infrastructure works - Outline Granted – 29 July 2021

S/25729 - Proposed residential development for 26 bungalows - Outline Granted - 05 June 2013

S/09204 - Development of a community garden with new footpath, seating, ornamental features and planting - Full Granted - Committee - 31 March 2005

S/02034 - Demolition of council properties, removal of floor slabs, site to be levelled over - Demolition notification - Granted -15 September 1999

D5/5897 - Children's playground recreational activity - Full Granted – 10 September 1981

D5/144 - Residential development – erection of approx 200 houses - Full Refusal - 01 February 1973

## Planning Policy

In the context of the Authority's current Development Plan the site is located within the development limits of Llanelli as defined in the adopted Local Development Plan (LDP). It forms part of a larger area of land that is allocated for residential development under Policy H1 of the Plan. Housing allocation references GA2/H30, GA2/H31 and GA2/H33 of the Plan refer. The site consists of the western half of housing allocation GA2/H30 and the full extent of allocations GA2/H31 and GA2/H33. Cumulatively, the three allocations are identified as accommodating 336 dwellings, albeit this is an indicative figure for the purposes of 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  
SP9 - Transportation  
SP14 - Protection and Enhancement of the Natural Environment  
SP16 - Community Facilities  
SP17 - Infrastructure  
SP18 - The Welsh Language  
GP1 - Sustainability and High Quality Design  
GP2 - Development Limits  
GP3 - Planning Obligations  
GP4 - Infrastructure and New Development  
H1 - Housing Allocations  
AH1 - Affordable Housing  
TR2 - Location of Development – Transport Considerations  
TR3 - Highways in Developments – Design Considerations  
EQ4 - Biodiversity  
EQ5 - Corridors, Networks and Features of Distinctiveness  
EP2 - Pollution  
EP3 - Sustainable Drainage  
REC2 - Open Space provision and New Developments

### [Carmarthenshire Supplementary Planning Guidance](#)

#### National Planning Policy

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 12](#), February 2024 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – No objection subject to the imposition of the conditions imposed on the original outline planning permission.

**Head of Public Protection** – No objection subject to the imposition of conditions.

**Dwr Cymru/Welsh Water** – No objection subject to the imposition of the conditions imposed on the original outline planning permission.

**Head of Homes and Safer Communities** – No response received to date.

**Natural Resources Wales** – No objection.

**Sustainable Drainage Approval Body (SAB)** – No objection. Have confirmed that the surface water drainage scheme proposed to serve the development will require separate SAB approval.

**Mid and West Wales Fire and Rescue Service** - No objection.

**Wales and West Utilities** – No objection.

**Police Liaison Officer** – Has not commented on the application to date.

**Local Members** – County Councillors Sharen Davies and Jason Hart (Llwynhendy Ward) have not commented on the application to date. County Councillor Deryk Cundy (Bynea Ward) has not commented on the application to date, while County Councillor Michelle Donoghue is a member of the Planning Committee and has also not commented on the application to date.

**Llanelli Rural Council** – Have no objection to the application.

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

## Summary of Public Representations

The application was the subject of notification by way of the posting of five site notices within the vicinity of the site and the publication of a press notice in the local newspaper. In response, no third-party letters of representation have been received to date.

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

## Appraisal

### Principle of development

The application site is allocated for residential development in the Authority's adopted LDP under Policy H1 of the Plan and currently has the benefit of outline planning permission for a residential development of up to 202 dwellings together with associated landscaping and infrastructure works. The allocation of the site is founded in Llanelli's status as a Growth Area under Policy SP3 of the Plan in recognition of its high population level, the availability of an extensive range of services and facilities in the strategic context, and its location on sustainable transport routes. These would be easily accessible to the occupants of the development in accordance with the sustainability objectives of the LDP and national planning policy.

The principle of the residential development of the site is therefore well established. Whilst matters relating to the detailed design of the scheme are reserved for future consideration, nonetheless, the site can accommodate a development of the scale and density proposed

without compromising the quality of the scheme or detracting from the amenity and spatial character of the surrounding area. The site is well contained by existing hedgerows and the careful design of the dwellings combined with the provision of new landscaping proposals and areas of open space will ensure the development will respond well to the site's setting and create an attractive and inviting environment and sense of place for future occupiers. It will also provide a wide mix of house types that will include up to 40 affordable dwellings that will assist in meeting the housing need in the area, while also contributing towards the improvement of education facilities in the local catchment schools. The development will also provide new open space and recreation facilities.

The development therefore accords with policies H1, SP1, SP3, SP5, SP9, TR2 and GP1 of the LDP in that it represents a sustainable form of development that will not unacceptably impact upon the character and appearance of the surrounding area. Further, it is in compliance with policies SP6, GP3 and AH1 in that it will include a proportion of affordable housing and contribute towards the improvement of existing community facilities in the local area.

### Highways

In terms of the transport impacts of the proposal, the applicant has provided an updated transport assessment in support of the application that assesses the impact of the development upon the local highway network. It provides an assessment of the car trips generated by the development which are estimated to be 107 trips in the morning peak (08:00 – 9:00) and 105 trips in the afternoon peak (17:00 – 18:00). The assessment concludes that such an increase will not have an unacceptable impact in traffic terms upon the local highway network, but recognises that the Dafen Roundabout to the west of the site through which the main body of the site will be accessed, would approach its operational capacity in the future years of the assessment in 2029 and 2034. It also highlights the good accessibility of the site by sustainable means of travel such as walking, cycling and bus facilities.

The Head of Transportation & Highways has confirmed his acceptance of the findings of the transport assessment and is satisfied that the additional traffic generated by the development can be safely accommodated on the local highway network subject to the imposition of the conditions imposed on the current outline permission. These include a condition requiring the submission and approval of an off-site scheme of mitigation to mitigate the impact of the development upon Dafen Roundabout, and a restriction on the number of dwellings (150) permitted on the main part of the site that will be accessed via the primary access on Nant-y-Gro. The remaining 52 dwellings on the smaller parcel of the site will be accessed via the Gors-Fach and Bryncoch estate roads.

Further conditions are imposed pursuant to the provision of Active Travel improvements in the local area that will include the provision of shared use paths for pedestrians and cyclists connecting the site to the wider Llanelli Strategic Cycle Network. The permission granted will be conditioned in accordance with the advice of the Head of Transportation & Highways.

The proposal will not, therefore, generate unacceptable levels of traffic on the surrounding road network or be detrimental to highway safety, and will deliver Active Travel improvements in the local area in line with the objectives of Policies SP1, SP9, TR3 and GP1 of the LDP.

## Flooding and Drainage

The site is located in zone A of the development advice maps (DAM) referred to under Technical Advice Note (TAN) (2004) which is defined as being at little or no risk of flooding. Moreover, it falls outside the flood zones defined in Natural Resources Wales' (NRW) Flood Map for Planning. NRW have raised no objection to the application.

In terms of surface water drainage, the application has been accompanied by a drainage strategy that will dispose of surface water from the development in a sustainable and controlled manner. It will include the use of drainage basins created across the site in the form of swales and ponds, and the use of permeable paving systems in car parking and other hardstanding areas to attenuate the run-off generated from the development up to and including a 100-year return period (with a 40% allowance for climate change) before discharging to an existing watercourse. The detailed design of the surface water scheme will be assessed as part of a separate SAB application.

The foul flows from the development will discharge to the existing public sewer and Welsh Water have confirmed their acceptance of the proposals and raised no concerns from either a sewage capacity or treatment perspective. They have also confirmed there is current capacity in the water supply system to accommodate the development.

The application is also accompanied by a scheme of surface water removal from the combined public sewer that will provide betterment to the network. The scheme centres around two sites in Llanelli located in Pen-y-Fan and Pen-Y-Gaer where surface from existing car parks, footways and the roof of a changing room facility will be diverted from the public sewer. It will deliver betterment to the network by removing a volume of surface water from the system greater than that generated by the development itself. In this regard the proposal will be in compliance with the requirements and objectives of the Memorandum of Understanding (MOU) which sets out the partnership approach between Carmarthenshire County Council, the City and County of Swansea, Natural Resources Wales and Welsh Water to improve and safeguard the environmental quality of the Carmarthen Bay and Estuaries European Marine Site.

The proposal is therefore in accord with the objectives of policies SP2, SP17, GP4, EP2 and EP3 of the LDP in that it will not be at risk of flooding and will be drained in a sustainable and acceptable manner that will not result in any adverse flooding or pollution impacts.

## Biodiversity

The applicant has provided an updated ecological appraisal which provides an assessment of the existing habitats on the site and their potential to support protected and notable species. The appraisal is supplemented by bat, dormouse and reptile surveys of the site, as well as a Net Benefit for Biodiversity Report which includes a suite of recommendations that are designed deliver an overall net benefit for biodiversity and promote ecosystem resilience as part of the development.

The appraisal confirms that the habitats within the site have degraded since the previous survey in 2019 and whilst there was no evidence of dormice, reptiles or bats, nonetheless, it is considered suitable to support foraging, commuting and roosting bats, badger, hedgehogs, breeding birds and reptiles and amphibians. The appraisal makes a number of recommendations relating to, amongst others, precautionary methods of working, the removal of invasive non-native species and the delivery of enhancements to biodiversity,

that will be provided as part of the detailed scheme. These will be secured with the imposition of suitable conditions on the permission granted to ensure compliance with the objectives of policies EQ4, EQ5, SP14 and EP1 of the LDP and national planning policy.

The Council's Planning Ecologist and NRW have raised no objection to the proposal from an ecology and biodiversity perspective.

### Noise and Air Quality

The application has been accompanied by an updated noise assessment which includes a review of nearby noise sources which have the potential to affect the development, including road traffic noise from A4138 and industrial and commercial noise from Dafen Trade Park to the north and west of the site. The assessment concludes that the site falls within Category A of Technical Advice Note (TAN) 11 (1997) and that any effects of noise can be adequately mitigated via standard measures that will include the provision of suitable fenestration in the properties closest to these neighbouring areas, and the careful positioning of their external amenity areas.

Since the submission of the application, the Council have received a separate planning application for the change of use of the former Radnedge building and its associated yard located some 130 metres to the west of the north-western boundary of the site, beyond the A4138. This site has previously been acquired by Dyfed Steel and forms part of their wider industrial site that flanks the western side of the A4138 to the north of Dafen Roundabout. The application proposes the change of use of the building and yard from its previous use as an architectural salvage yard (Class B8) to a new use for the storage and processing and steel (Class B2) in association with the industrial use of the wider Dyfed Steel site. Whilst this application is still currently being considered by officers, the Council's noise officer has raised concerns regarding the potential noise impact of this new B2 use upon any new dwellings constructed in the western part of the current application site adjacent to Nant-y-Gro and Dafen Trade Park. The masterplan shows this part of the site being free of built development and providing a surface water attenuation basin and an area of public open space and play area. Nevertheless, given the application is an outline submission with all matters reserved, the permission granted will be conditioned to preclude any residential development in this area of the site in the absence of a noise impact assessment demonstrating that the background noise levels will be acceptable and not result in uncomfortable living conditions that would be detrimental to the health and wellbeing of future occupants

The Head of Public Protection has raised no objection from a noise perspective subject to the imposition of the above condition.

From an air quality perspective, the updated air quality assessment confirms that the development will not result in any adverse air quality effects during both the construction and operational phases of the development. The Head of Public Protection has again raised to objection to the application in this regard. Whilst the development will generate additional vehicle trips on the surrounding road network, the site's sustainable location and the promotion of sustainable modes of travel through the implementation of a travel plan and provision of electric vehicle charging points to encourage a shift toward low emission vehicles, will safeguard against any unacceptable impacts upon local air quality. Suitable conditions will be imposed on the permission granted to secure the provision of these sustainable measures.

The implementation of a suitable Construction Environmental Management Plan as part of the development of the site will minimise any noise or dust generation during the construction phase of the development. This will again be secured with a suitable planning condition.

The proposal is therefore in accord with the objectives of policy EP2 of the LDP in that it will not result in any adverse noise or pollution impacts.

### Other matters

Matters relating to potential ground contamination within the site will be covered by conditions recommended by the Council's contaminated land officer. The Coal Authority have raised no objection to the application from a ground stability perspective following an assessment of the coal mining risk assessment. They have recommended the imposition of conditions requiring the submission of further investigative works and any necessary remediation measures as part of the reserved matters application to ensure the development is safe and stable

## **Planning Obligations**

The development will provide the following community benefits :

- A commuted payment towards the improvement of education facilities in the relevant catchment schools.
- The provision of an area of public open space and Local Equipped Area of Play (LEAP) within the development.
- A 20% proportion of affordable units consisting of a mix of dwelling types, sizes and tenures.

The provision of the affordable housing and LEAP will be secured via conditions on the planning permission. However, given the application has been submitted by the Council, the commuted payment pursuant to the education improvements cannot be secured via a Section 106 agreement and will instead form part of any future sale agreement relating to the land.

## **Well-being of Future Generations (Wales) Act 2015**

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

## Conclusion

After careful examination of the site, together with the representations received to date, the proposed development is considered to be acceptable and in compliance with the key policy objectives of the Authority's LDP and national planning policy.

The site has the benefit of outline planning permission for residential development and is allocated for housing in the adopted LDP. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that, in determining a planning application, the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory consultees have all confirmed their acceptance of the development in raising no sustained ecology, highway, flooding, utility provision or amenity objections to the application, and there are no material considerations that would justify a determination other than in accordance with the adopted Plan.

For these reasons, the application is put forward with a favourable recommendation subject to the imposition of the following conditions.

## RECOMMENDATION - Approval

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### Conditions & Reasons

#### Condition 1

Any application for approval of the reserved matters shall be made to the local planning authority not later than five years from the date of this permission.

*Reason:*

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

#### Condition 2

The development shall begin either before the expiration of seven years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

*Reason:*

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

#### Condition 3

Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

*Reason:*

In the interests of visual amenity.



#### **Condition 4**

The permission relates to the land defined in the location plan (1001A) received on 25 July 2024 and the scale parameters of the dwellings shown in the parameters plan (3501A) received on 25 July 2024.

*Reason:*

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

#### **Condition 5**

No development shall commence until details of existing ground levels and proposed finished ground and floor levels of the site have been submitted to and approved in writing by the local planning authority. The details shall be submitted in pursuance of any reserved matters application and the development shall be completed in accordance with the approved details.

*Reason:*

In the interests of visual amenity.

#### **Condition 6**

Prior to its use by vehicular traffic, the new access roads (connecting to Nant-y-Gro and Gors-Fach) shall be laid out and constructed with 5.5 metre carriageways and 1.8 metre footways.

*Reason:*

In the interest of highway safety.

#### **Condition 7**

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 scheme shall be submitted in pursuance of any reserved matters application and 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 interest of highway safety.

#### **Condition 8**

Prior to commencement of development a detailed Construction Traffic Management Plan shall be submitted for the written approval of the Local Planning Authority and thereafter shall be implemented in full in accordance with the approved details.

*Reason:*

In the interest of highway safety.

### **Condition 9**

Prior to the commencement of development an Active Travel Improvement Plan that delivers Active Travel provision within the development herewith approved, and connections to existing Active Travel routes and facilities in the surrounding area, shall be submitted to and approved in writing by the local planning authority. The scheme shall be submitted in pursuance of any reserved matters application and the approved details shall be implemented in full prior to the beneficial occupation of the development.

*Reason:*

In the interest of highway safety.

### **Condition 10**

Prior to the commencement of development, detailed drawings showing no more than 150 residential units being served from the proposed primary access point on Nant-y Gro, and no more than 52 residential units being served from the secondary access point on Gors-Fach, shall be submitted to and approved in writing by the Local Planning Authority. The detailed drawings shall be submitted in pursuance of any reserved matters application and the development shall be completed in accordance with the approved details prior to the occupation of any dwelling for the relevant phase of development.

*Reason:*

In the interest of highway safety.

### **Condition 11**

Prior to the commencement of development an offsite Highway Mitigation Plan in relation to the A4138 / B4303 Roundabout shall be submitted to and approved in writing by the local planning authority. The Plan shall be submitted in pursuance of any reserved matters application and the approved details shall subsequently be implemented in full prior to the beneficial occupation of the development.

*Reason:*

In the interest of highway safety.

### **Condition 12**

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

*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**

No development shall commence until a scheme for the removal of surface water from the combined public sewer delivering sufficient compensation for the foul flows from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. None of the dwellings hereby approved shall be occupied until the scheme has been implemented in accordance with the approved details and written confirmation of this has been received from the Local Planning Authority.

*Reason:*

To prevent hydraulic overloading of the public sewerage system and pollution of the water environment.

### **Condition 14**

The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

*Reason:*

To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

### **Condition 15**

No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed.
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, dust control, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use
- Traffic Management: details of site deliveries, plant on site, wheel washing facilities

- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

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

*Reason:*

To prevent the pollution of the environment and safeguard the living conditions of adjacent occupiers.

**Condition 16**

Prior to the commencement of development, an external lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be based upon the mitigation recommendations detailed in the Preliminary Ecological Appraisal referenced 70122392 and Bat Survey Report referenced 62255079. The scheme shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and within ecologically sensitive areas.

The scheme shall include:

- Technical details of all lighting solutions, including their location, type, shape, dimensions and, expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution.
- A plan illustrating illuminance levels across the development site and at the boundary of the site.
- An Environmental Lighting Impact Assessment against conservation requirements for protected species and wildlife corridors.

The lighting scheme shall be implemented and thereafter operated in accordance with the approved details. Reason: To ensure an appropriate lighting scheme is proposed for the site.

*Reason:*

To safeguard against any unacceptable ecological impacts.

**Condition 17**

No development, including site clearance, shall commence until a pre-construction protected species survey has been carried out, the scope of which must be agreed with the Local Planning Authority, and the results of the survey have been submitted to and approved in writing by the local planning authority. If the survey confirms the presence of protected species, the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.

*Reason:*

To ensure the necessary protection of the environment, ecological features and habitats.

**Condition 18**

No development, including site clearance, shall commence until a comprehensive Landscape and Ecological Design Scheme (LEDS), has been submitted to and approved in writing by the Local Planning Authority. The LEDS shall be submitted in pursuance of any reserved matters application and shall deliver detailed design proposals which effectively integrate appropriate site-specific landscape, ecological and biodiversity objectives and functions. The scheme shall be in compliance with the principles and recommendations of the landscape and ecological information in support of the application and in particular the:

- Arboricultural Report referenced ArbTS\_502.4\_Cwm y nant.
- Preliminary Ecological Appraisal referenced 70122392
- Bat Survey Report referenced 62255079.
- Dormouse Survey Report referenced 62255079
- Reptile Survey Report referenced 62255079
- Green Infrastructure Statement dated June 2024
- Net Benefit for Biodiversity Report dated June 2024

The LDS shall be fully implemented in accordance with the approved details. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LEDS 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 provide a suitable landscaping scheme that will enhance the character and appearance of the development and surrounding landscape, while safeguarding against any unacceptable ecological or biodiversity impacts and delivering a Net Benefit for Biodiversity.

**Condition 19**

A 3m buffer zone must be retained between any watercourse and the proposed development to ensure the integrity of the watercourse and the riparian corridor are protected. No development shall be carried out within the buffer zone including the storage of spoil, stored materials, plant and machinery, lighting, structures and any built development including domestic gardens or formal landscaping. Details of the precise extent of the buffer zones shall be submitted in pursuance of any reserved matters application and the buffer zone shall be retained for the lifetime of the development.

*Reason:*

To ensure the necessary protection of the environment, ecological features and habitats.

## **Condition 20**

No development shall commence until a Landscape and Ecological Management Plan (LEMP) for the provision, management and maintenance of the landscape and ecological features proposed within the Landscape and Ecological Design Scheme (LEDS) required under condition 18, has been submitted to and approved in writing by the Local Planning Authority.

The LEMP shall be submitted in pursuance of any reserved matters application and include:

- Details of the desired condition of features (present and to be created) at the site.
- Details of scheduling and timings of management activities.
- Details of short and long-term management proposals, monitoring proposals and maintenance operations of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired landscape and ecological conditions and functions.
- Details of monitoring of landscape and ecological features and required post construction monitoring.
- Details of replacement measures should any landscape or environmental features die, be removed or become seriously damaged or diseased within the lifetime of the development.
- Details of management and maintenance responsibilities, including a plan which provides a clear definition of areas subject to future private ownership and management responsibility and the areas proposed for adoption by the local authority.
- Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed between interested parties.
- Mechanisms to be used for reporting.
- The LEMP must deliver all mitigation and enhancement requirements for the operational phase as referenced in the ecological reports and associated documents. The LEMP shall be carried out in accordance with the approved details

### *Reason:*

To ensure the future management and monitoring of the landscaping and ecological proposals provided as part of the development and the delivery of a Net Benefit for Biodiversity.

## **Condition 21**

Prior to the commencement of development a Landscape Constraint Plan (LCP) shall be submitted to and approved in writing by the local planning authority. The Plan shall be submitted in pursuance of any reserved matters application and shall define the following: -

- 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;
- 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: -
- Tree survey and Categorisation Report for all trees, groups of trees and other landscape elements subject to potential impacts within the RPAs.
- 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.
- Arboricultural Method Statement (AMS) which provides details, as necessary, of specific design solutions to enable effective retention of any trees, groups of trees and other landscape elements which are identified as subject to potential impacts within the AIA.
- 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.

**Condition 22**

Prior to the occupation of the development a detailed Travel Plan setting out ways of reducing car usage and increasing walking and cycling to and from the development, and timetable for implementation, shall be submitted to and agreed in writing by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details.

*Reason:*

In the interest of Highway safety and to promote sustainable modes of travel.

**Condition 23**

Prior to the commencement of development, a scheme for provision of electric vehicle charging points (EVCP) within the development shall be submitted to and approved in

writing by the local planning authority. The scheme shall be submitted in pursuance of any reserved matters application and the development shall be implemented in accordance with the approved details.

*Reason:*

To contribute towards improving air quality in the local area.

**Condition 24**

Any subsequent reserved matters submission shall make provision within the development for a Local Equipped Area of Play (LEAP) and area of Public Open Space. Details of the precise siting, design, timing of provision and future management and maintenance of the LEAP and Public Open Space shall be submitted in pursuance of any reserved matters application and approved in writing by the Local Planning Authority prior to the commencement of the development. The LEAP shall have a minimum area of 400 square metres and the development shall be implemented in accordance with the approved details.

*Reason:*

To ensure the provision of suitable play and open space facilities.

**Condition 25**

No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

*Reason:*

To comply with Policy AH1 and secure affordable housing in the development.

**Condition 26**

Prior to the commencement of development, a noise exposure assessment of the design and layout of the dwellings hereby approved shall be submitted to and approved in writing by the local planning authority. The assessment shall consider the potential effects of noise and/or vibration and determine appropriate locations for amenity space and



dwelling-specific sound insulation to secure appropriate internal amenity for the proposed dwellings. The report shall also include a suitable mitigation scheme (where required) to adequately protect the amenity of the development in its final form. The assessment shall be based upon the noise control advice and mitigation requirements contained in the Noise Assessment dated June 2024.

*Reason:*

To ensure a suitable standard of residential amenity can be achieved.

**Condition 27**

Prior to the submission of reserved matters, the applicant shall submit a scheme of intrusive site investigations for the mine entry and shallow coal workings for the written approval of the local planning authority. Both schemes of intrusive site investigations shall be undertaken in accordance with the approved details.

*Reason:*

To ensure coal mining legacy issues at the site are adequately addressed.

**Condition 28**

Any reserved matters application shall be accompanied by:

- The submission of a report of findings arising from both of the intrusive site investigations;
- The submission of a layout plan which identifies the location of the mine entry together with calculated zone of influence (no-build zone);
- The submission of a scheme of treatment for the mine entry on site for approval;
- The submission of a scheme of remedial works for the shallow coal workings for approval.

Implementation of the remedial works shall be undertaken prior to the commencement of development on site and evidence provided to the Local Planning Authority and be approved in writing.

*Reason:*

To ensure coal mining legacy issues at the site are adequately addressed.

**Condition 29**

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

*Reason:*

To protect historic environment interests whilst enabling development.

**Condition 30**

None of the dwellings hereby approved shall be located within the area of the site located to the north of the proposed new access road from Nant-y-Gro identified as a drainage attenuation area and community play area in the Concept Masterplan drawing referenced 3201H received on 25 July 2024, unless a noise impact assessment demonstrating that this part of the site is suitable for residential development from a noise exposure perspective has been submitted to and approved in writing by the local planning authority. The assessment shall be submitted in pursuance of any reserved matters application and the development shall be implemented in accordance with the approved details and any remedial measures and recommendations stipulated therein.

*Reason:*

To ensure suitable standard of residential amenity can be achieved.

**Condition 31**

No development shall take place on the application site until the applicant has :

1. Undertaken a site investigation, by a suitably qualified competent person, to determine the nature and extent of contamination in accordance with a methodology that has previously been submitted to and approved in writing by the local planning authority. The site investigation report (Quantitative Risk Assessment) shall provide information to refine and update the conceptual model outlined in the Preliminary Risk Assessment.

Where necessary, the report shall include an appraisal of remedial options and identify the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.

2. Produced a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to relevant receptors. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation. The detailed remediation scheme shall not be submitted until written approval of the Quantitative Risk Assessment has been received from the local planning authority. The scheme is subject to the written approval of the local planning authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency guidance – ‘Land Contamination: Risk Management (LCRM; 2020)’ and the WLGA document ‘Development of Land Affected by Contamination: A Guide for Developers’ (2023).

*Reason:*

To ensure that ground contamination is addressed in an acceptable manner.

### **Condition 32**

In the event that contamination that has not been identified previously is encountered during the development, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied.

In the event that site contaminants are found during the development in areas previously expected to be clean, their remediation shall be carried out in line with the agreed remediation scheme.

*Reason:*

To ensure that ground contamination is addressed in an acceptable manner.

### **Condition 33**

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. If required, it shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

The verification report must be submitted to approved in writing by the local planning authority prior to occupation of the proposed development and its contents must be agreed with the local planning authority before commencement of the remediation scheme.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency guidance – ‘Land Contamination: Risk Management (LCRM; 2020)’ and the WLGA document ‘Development of Land Affected by Contamination: A Guide for Developers’ (2023).

*Reason:*

To ensure that ground contamination is addressed in an acceptable manner.

## **Notes / Informatives**

### **Note 1**

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

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

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

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

## **Note 2**

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

## **Note 3**

Any prospective purchaser(s) of the land referred to in the Planning Permission PL/08091 will be required in the Contract of Sale to enter into a Section 106 Agreement with Carmarthenshire County Council for the provision of a contribution towards the improvement of education facilities in the relevant catchment schools and the provision of a 20% proportion of affordable housing in the development.

## **Note 4**

The Sustainable Drainage Approval Body (SAB) has identified that this project application requires a full SuDS Application because the proposed development has a construction area greater than 100m<sup>2</sup>. Therefore, the development, as required under Schedule 3 of the Flood and Water Management Act 2010, must implement SuDS infrastructure in accordance with Statutory SuDS Standards. As such, a full SuDS application for this development must be submitted for assessment and approved by the Sustainable Drainage Approval Body (SAB) at Carmarthenshire County Council. Further information can be found at [www.carmarthenshire.gov.wales/sab](http://www.carmarthenshire.gov.wales/sab).

Please be advised that under Schedule 3 of the Flood and Water Management Act 2010 construction work must not be commenced unless the drainage system for the work has been approved by the SAB. The Sustainable Drainage Scheme must be nature based and features should contribute to ecology, landscape and deliver Net Benefit for Biodiversity.

<b>Application No</b>	<b>PL/08205</b>
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<b>Application Type</b>	Full planning permission
<b>Proposal</b>	New permanent amenity block to replace existing temporary amenity block
<b>Location</b>	Pembrey Country Park, Factory Road, Pembrey, Burry Port, SA16 0EJ

<b>Applicant(s)</b>	Carmarthenshire County Council - Andrew Tidy
<b>Officer</b>	Adam Davies
<b>Ward</b>	Pembrey
<b>Date of validation</b>	09/09/2024

## 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 application site consists of an existing amenity building located within the touring caravan and camping site in Pembrey Country Park. The building is located adjacent to the access into the caravan park and immediately to the north of the 'Yr Orsaf' café facility which serves the facility and wider Country Park. The amenity block has previously been granted planning permission on a temporary basis and consists of a number of timber clad storage containers that provide toilet, shower and washing facilities for the caravan park. The rear elevation is adjoined by a storage compound that is enclosed by metal fencing.

## Proposal

The application seeks full planning permission for the replacement of the existing temporary amenity building with a new permanent purpose-built structure that will provide improved toilet and shower facilities for the caravan park. It will be box shaped consisting of a single storey with a mono pitch roof. The elevations of the building will be clad with timber boarding similar to the existing structure, while the roof will consist of a metal sheeting finish and have a number of solar panels that will provide electricity to the new facilities. The existing storage compound is to be retained to the rear of the new building and will be enclosed by new security fencing.

The application has been accompanied by an ecological appraisal of the site which concludes that the building is of negligible bat roost potential and makes a number of recommendations with regard to its removal to safeguard against any unacceptable impact upon bats and nesting birds.

## Planning Site History

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

PL/00848 - Variation of Condition 1 on S/36935 (Extend the time period for a further 36 months) - Variation of Planning Condition Granted 07/01/2021

S/36935- Variation of condition 1 and 2 on S/31876 (extend time period for a further 36 months) - Variation of Planning Condition Granted 30/04/2018

S/31876 - Proposed siting of 2 no toilet and 2 no shower blocks in adapted steel containers on a newly laid 200mm reinforced 13m x 10m concrete slab. Proposed construction of a LPG compound - Full Planning Permission Granted 22/06/2015

PL/05480 - Replacement of the existing temporary amenity block with a permanent structure - Full Planning Permission Granted 27/04/2023

## Planning Policy

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

SP1 - Sustainable Places and Spaces

SP2 - Climate Change

SP15 - Tourism and the Visitor Economy.

GP1 - Sustainability and High Quality Design

EQ4 - Biodiversity

TSM2 - Touring Caravan and Tent Sites

National Planning Policy

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 12](#), February 2024 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government

## Summary of Consultation Responses

**Pembrey and Burry Port Town Council** - No Objections.

**Councillor Hugh Shepardson** - No Objections.

**Councillor Michael Thomas** - No response received to date.

**Dwr Cymru Welsh Water** - No Objections. Subject to Conditions.

**MOD** - No Objections.

**Contaminated Land** - No Objections.

**SAB (Sustainable Drainage Approval Body)** - No Objections.

**Public Protection** - No Objections.

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

## Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice at the site. In response, no third-party representations have been received to date.

## Appraisal

The existing amenity block in the caravan park was originally granted planning permission on a temporary basis in June 2015 with the permission having subsequently been extended with two further planning applications; there is also an extant permission for a amenity block (PL/05480) however, the scheme has been reduce from 172m<sup>2</sup> GIA in the previous proposal, to 110m<sup>2</sup> GIA in the current proposal. The application seeks to replace the temporary block with a new purpose-built amenity building that will significantly improve the toilet and shower facilities available to those visiting the caravan park.

Policy TSM2 – ‘Touring Caravan and Tent Sites’ of the LDP provides the principal policy context for the proposal and permits extensions and improvements to existing sites subject to compliance with a number of criteria. These include, amongst others, the need for proposals to be directly related to an identified growth area, service centre or sustainable community, and not have an unacceptable effect upon the surrounding landscape. Proposals are also permitted where they provide for the significant improvement of the overall quality and appearance of the site, and new ancillary structures should demonstrate that there are no existing buildings that could be re-used for the proposal and will only be permitted where they are appropriate in terms of their siting, need and scale.

The proposal is located within a well-established caravan and camping site that forms part of the tourist facilities available at Pembrey Country Park which is one of the main visitor attractions in the County. The Park itself is directly related to the settlements of Burry Port and Pembrey which are designated as service centres in the LDP. The new purpose-built building will significantly improve the amenity facilities available to visitors to the Park, and its high quality design will enhance the overall quality and appearance of the caravan site in the wider Country Park. Moreover, there are no existing buildings within the caravan park that could be re-used to provide the new improved facilities, and the proposal will include provision for the generation of renewable energy and active travel facilities in accordance with the sustainability objectives of the LDP.

The proposal is therefore considered to be in accord with the objectives of Policy TSM2 and it has attracted no objections from the relevant statutory consultees. Further, no third-party objections have been received from neighbouring residents.

# 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 examination of the site, together with the representations received to date, the proposed development is considered to be acceptable and in compliance with the key policy objectives of the Authority's LDP as well as those of National Planning Policy. The proposal is therefore recommended for Approval.

## RECOMMENDATION - Approval

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### Conditions & Reasons

#### Condition 1

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

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

#### Condition 2

The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and documents:-

- Proposed Elevations [12178-WB-01-ZZ-DR-AA-2001 Rev P03]
- Proposed Site Plan [7881-006-CCC-ZZ-00-TN-A-003]
- Proposed Ground Floor Plan [12178-WB-01-GR-DR-A-1001 Rev P03]

received 30/09/2024 11:47

- Phase Two Geo-Environmental Assessment (Redacted)
- Human Health Risk Assessment for Asbestos in Soil (Redacted)

received 09/09/2024

- Preliminary Ecological Report - 24 January 2023
- Phase Two Geo-Environmental Assessment - Earth Science Partnership
- Human Health Risk Assessment for Asbestos in Soil - 7 August 2024



- Location Plan [7881-006-CCC-ZZ-00-TN-A-001]

received 28/08/2024

*Reason:* In the interest of clarity as to the extent of the permission.

### **Condition 3**

No development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason:* In the interests of visual amenity and to safeguard existing trees to be retained as part of the development.

### **Condition 4**

No development shall commence until a scheme of biodiversity enhancements have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and prior to the use of the development. Thereafter, the enhancements shall be retained as approved in perpetuity.

*Reason:* In the interests of biodiversity.

### **Condition 5**

Prior to the commencement of development, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall take into account all of the lighting needs and mitigation requirements associated with the development during operational hours and shall be the minimum required to perform the relevant lighting task. It shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and within ecologically sensitive areas.

The scheme shall include:

A report, prepared by a lighting engineer, setting out the technical details of the luminaires and columns, including their location, type, shape, dimensions and, expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution.

A plan illustrating illuminance levels across the development site, including in the woodland areas.

See Guidance Note 8 Bats and Artificial Lighting / Bat Conservation Trust and the Institution of Lighting Professionals, 2018.

*Reason:* To safeguard against any unacceptable ecological impacts.

## **Condition 6**

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 7**

Prior to the commencement of the development hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the development shall be 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 interest of visual amenity.

## **Notes / Informatives**

### **Note 1**

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

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

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

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

### **Note 2**

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