

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**ATODIAD
ADDENDUM**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Adran yr Amgylchedd**

**Report of the Head of Place
and Sustainability
Environment Department**

18/08/2022

**I'W BENDERFYNU
FOR DECISION**

Application No	PL/00832
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Proposal	Housing development for up to 7 residential units
Location	Land to the rear of Garth, Rhydargaeuau, Carmarthen, SA32 7HY

Details

Conditions & Reasons

The following planning condition has been amended to a “Grampian” form of condition.

Condition 9

None of the development hereby granted planning permission shall commence until the proposed new vehicular access road is formed, comprising of a visibility splay of 2.4 metres x 90 metres in both directions and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. There shall at no time be any obstruction above 0.9 metres within this splay area.

Reason: In the interests of highway safety in accordance with Policy TR3 of the Carmarthenshire Local Development Plan 2014.

Application No	PL/02491
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Proposal	Change of use from Recreational/Open Space to D1 Classification for the proposed relocation of the History Shed Experience Community Interest Community to include the construction of an Exhibition Building and offices, four cottages, two pole barns and Public Toilets
Location	Land adjacent to Car Park off Bridge Street, (Land at Glan yr Afon, adjacent to Trinity Methodist Church), Kidwelly, SA17 4UU

Details

Due to issues with generating the report, portions of the original report have been missed from that issued and published. As such, the sections that have been missed out are presented in the Addendum for completeness.

Summary of Public Representations

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

272 representations were received, 13 individual objections (often contained in several letters from each objector), 5 making neutral comments and 254 in support, with the matters raised summarised as follows:

Material Points of Objection

Flooding

- The flood reports from Groundsure and Francis Sant appear at odds. The site is very clearly at risk of flooding and is flooded most winters.
- The foul drainage to main sewer will involve carving up the expensive car park and add to an already overloaded system.

Highways

- The car park proposed isn't capable of accommodating the number of visitors proposed.
- The car park adjacent is needed by the citizens of Kidwelly, particularly the elderly and disabled, in order for them to access the local shops. Visitors to the proposed attraction would increase the level of parking to the detriment of local users. This in turn will lead to parking on nearby roads, further increasing congestion. One small play was recently held at the Castle, and this caused the Glan yr Afon car park to over flow and congestion to occur on the surrounding streets.

Noise and Public Protection

- Has the response from the Pollution and Wellbeing Team and the reply from Public Health taken into account the intention to hold open-air musical events that sell alcohol and to invite film crews to the site. A museum/history experience would not generate the same noise and disruption as these events and would give the impression of a low noise and nuisance impact. This noise and disturbance would also affect the ecology and biodiversity of the area. This is currently a very quiet and peaceful site, enjoyed for its peace and quiet.

Loss of Public Open Space

- The proposal would be contrary to the Authority's proposed 'Green and Blue Infrastructure' (BGI) as the site currently is an open space and a corridor through the village, and Kidwelly is one of the eight towns being focused on. The strategy promotes retention of open space and corridors. By fencing off the site and charging for entry, this is contrary to LDP policy.
- This public open space is currently used and is viable as it is as an open community area (and not restricted due to sports teams' use) but if we were to do anything else with it we should be striving to meet our carbon budget target (37% reduction by 2025). If the site is lost, the opportunity is lost.
- The fencing and buildings would be harmful to the visual amenity.

Contaminated Land

- The site has been an open, unsupervised tip for the locality for many years, with industrial (from the optical), animal and domestic waste being deposited there. Due to public health issues it was covered over and allowed to become a green open space.

Loss of Town Vitality

- Its location is so that it can benefit from the footfall from the castle. However, this in turn will lead to a detriment to the town as the attraction would offer refreshments so local pubs and cafes would see less trade.

Built Heritage

- Will the condition of the Listed High Street Bridge be taken into consideration when considering the traffic movements to and from this site? This road is already heavily congested.
- The thought that heritage funding being awarded to build 'reproduction cottages' whilst several Grade 2 listed buildings in the town remain abandoned and left to crumble is beyond irony.

Ecology

- The site is currently designated as a nature reserve in Carmarthenshire.
- The proposal will be extremely damaging to the ecology of the site and area, including a number of birds, badgers and even adders, which are protected species.

Procedural Matters

- The Application Form has been answered incorrectly. In particular, Question 9 is incorrect as 'No' has been answered, when the applicants have advised that the car park is necessary for their future plans. Question 8 is also incorrect as it states that there will be 'NO' new public roads and public rights of way, despite the plans showing roads and vehicles on the site. Question 10 – Trees and Hedges – advises that there are none on site when there are.
- Annex B of TAN16 advises a typology of spaces which could usefully provide the buffer area between neighbourhood play spaces and adjacent properties. Major amenity should have open access to the public (Lindsey Witcombe)

Welsh Language

- The submitted application and name of the attraction does not seem to respect the Welsh language in Carmarthenshire, and an area with perhaps one of the highest proportions of Welsh speakers in the country.

Appraisal - Continued

Highways

With regard to the issue of Highways, the Head of Transport does not object to the proposal. It is advised that although there will be an intensification of the existing access at Bridge Street serving the Glan yr Afon car park, this access is suitably formed and benefits from a good level of visibility. The site also benefits from strong active travel links with footways to the site and National Cycle Network Route 4 running along the southern boundary of the site. There is also a reasonable public transport provision serving the site with a bus stop approximately 150 metres away on Castle Street providing services to Swansea and Llanelli, whilst Kidwelly Railway Station is approximately 550 metres to the west with hourly services to Carmarthen and Cardiff.

In terms of parking, the scale of the development would require 1 commercial vehicle space and 89 non-operational spaces. No spaces are provided within the application site due to the proximity of the Glan yr Afon car park owned by the Council. This has approximately 122 spaces available and has been found to be typically used at 10% capacity. This arrangement is therefore considered to be acceptable. Cycle parking should also be provided to CSS Wales Parking Standards. Based on the 890 sq m floor space, 30 short stay cycle spaces would be required, with an additional 10 for staff. However, only 6 cycle spaces are shown on the submitted plans.

As such, whilst there is no objection in principle, additional cycle parking is recommended and details of an onsite vehicle turning area. These details have been requested and will be conditioned, if not received in time by the date of the Committee.

Welsh Language

With regard to this concern, the proposal, if approved, would require bi-lingual signage, whilst the Applicants state that they are Welsh speakers and intend to promote the language where possible.

Procedural Matters

With regard to this issue, the application form, as submitted has been considered to contain sufficient information to be able to validate the application and understand the proposal as submitted. Specifically, there are no new public roads or public rights of way within the site, the hardstandings are private, whilst Q.10 does state that there are trees or hedges on the proposed site, but they are not considered, by the Applicant, to be an influence the development – the new buildings would not impact upon these. With regards to Question 9 – Vehicle Parking, this is specifically asking if the site itself is to provide any new parking, and the answer NO, is technically correct.

Other Matters - Non-Material Objections

- HSE is a hobby with big ideas, they are not qualified museum curators, and it offers no formal local employment.

This is an opinion, but it should be noted that the proposal would offer up to 10 volunteering opportunities, which may be beneficial to people looking to work in or enter the field.

- Ukrainian families arriving in Kidwelly do not want to be reminded of the horrors they have escaped from and is a snub to the WG's policy of complete solidarity with Ukraine.
- The Ukrainian families would not have to visit the site should they not wish to.
- Kidwelly Town Council are using Council Tax money for the relocation of the HSE, even though the application has yet to be determined.
- This is a matter for the citizens and voters of Kidwelly to deal with through the democratic process.
- Has Kidwelly Town Council approached the County Council in regard to permission and leasing the land for the required public toilets?
- This has been carried out through the serving of an appropriate Article 10 Notice.
- What history is being presented? The display of armoured vehicles and other military things does not bode well and reeks of Britishness and jingoism.

This is an opinion of the writer.

- The Town Council's consultation process was poorly executed and the public's views were not noted formally for review. The Town Council had approved the proposal and informed the public at the public meeting. Also, the plans shown then were a lot smaller than those proposed now.

As above, this is something the citizens and voters should deal with through the democratic process.

- The old Tinworks Museum at Mynydd y Garreg would be a much more opportune location for this.

The Applicants advise that this site was looked at but was considered not to be suitable for a number of reasons. It is not the site being considered for this application.

Supporting Comments

- An important project for protecting future generations.
- The previous projects by this team protecting Welsh heritage have been done to a high standard.
- A coup for the village and a good draw for tourists which will be of benefit in terms of revenue to other small businesses.

- The facilities at the previous site were fantastic. The move to the new site will benefit the local community and schools and region as a whole.
- Will not impact surrounding wildlife areas.
- Kidwelly is in dire need of regeneration, and this will benefit locals and tourists alike and add to the local economy.
- Most exciting thing to happen to Kidwelly for a long time.
- As an accredited tourist guide for south Wales, this region needs more interesting attractions to draw visitors to the area. History is a major contributor to the visitor experience and each level of history sits well with each other.

In addressing these points, it is clear that many of these are in contrast to many of the points of objection received, particularly with regard to the impact it will have on the town. Much in the same way a new shop or other facility is usually managed by the market in our capitalist society, it is up to the Applicants and other businesses in the town to operate their interests so that they maximise the returns from their investments, should this permission be granted. The balance to be struck is whether the perceived benefit outweighs the concerns and policy objection, particularly in relation to the loss of Public Open Space.

Principle of Development

Considering the above issues, the proposal is for the change of use of the above recreation land to D1 Non-Residential institutions use, specifically falling under the 'Museum' aspect of D1. The D1 Use Class covers a wide range of facilities, including clinics, health centres, creches, schools, places of worship, law courts and non-residential training centres to name but a few. In general, it would be expected that each of these institutions would be provided within the development limits of a settlement or, if to be provided outside the development limits, in the first instance, it should be provided on brownfield land, in essence, to comply with policy GP2 of the LDP.

With principle regard to the LDP, policies REC1 and TSM3 are particularly specific to this application. With regard to REC1, this was initially problematic as it was not demonstrated that the proposal met with the specific requirements of the policy. Following a further submission, justification has now been provided stating why the application site was chosen. In terms of REC1, the reasons given, the Applicant is stating that there remains a substantial amount of recreation land and that a deficiency of open space is not created through its loss and that the re-development of the part of the site would allow for the retention and improvement of the remainder of the facilities managed by the Town Council. They state:

- a. There is more than adequate land available on this site (see c. below), however, the Town Council has plans to further develop the Local Nature Reserve at Glan yr Afon and at a site in Llangadog, Mynyddygarreg, having consulted with NRW and Wildlife Wales with a view to providing ponds and woodlands at these two sites.
- b. The site is primarily used by dog walkers, who allow dogs to run around unleashed. The loss of this facility would result in a minor loss of the area for the dogs to use, which is an infinitesimal inconvenience compared to the major benefit this proposal would make to increase the town's commercial and tourism status.
- c. As stated in the fore-mentioned document (Planning application support document) the area of land lost at this site represents just 1.7% of the total site.
- d. The loss of approximately 3,000 sq. m. of the overall site to provision an attractive facility as proposed will undoubtedly draw more visitors to the area, hence greatly improving the area's attraction, with the added benefit of another toilet provision to the town's facilities. The proposal would act as a 'gateway' to the area, as the Town Council explores the provision of pedestrian links with the Carmarthen Bay Holiday

Park at St Ishmaels. The proposal would also act as a link between Kidwelly Castle and the Town centre, to the benefit of the local businesses there.

National Planning Policy is delivered in the form of TAN 16 Sport, Recreation and Open Space (2009). Paragraph 3.12 advises that:

‘Open space, particularly that with a significant amenity, nature conservation or recreational value should be protected. Local planning authorities should identify these areas in the development plan and establish criteria against which sites should be assessed if development pressures arise. It is important that urban vacant and underused land is not unnecessarily protected from development where the land is not of significant amenity, nature conservation or recreational value, as it may potentially relieve development pressures in more sustainable locations.’

It is acknowledged that this site has significant nature conservation value, by virtue of its proximity to the designated statutory protected sites, whilst its amenity value is also considered to be generally high as it is served by a public car park and has a public footpath and cycleway running to the south, meaning it can be easily accessed at present.

Based on the Local and National policies, it is considered that the justification reasons are reasonable and are acceptable to show compliance with policies REC1 and Paragraph 3.12 of TAN 16.

With regard to TSM3, it looks at small scale tourism development in the open countryside, based on the supporting criteria of the policy. With specific regard to this policy and its requirements, this application meets these generally in that the site is directly related to a defined settlement and the proposal is highly dependent on the attributes of the site, given the scale of the site required and the proximity of the public car park. The application’s supporting statement provides a suitable justification why the proposal would be suited to the proposed location and how it would increase vitality and sustainability to the site. It is also seeking to benefit the townscape and the integrity of the historic environment. As such, the proposal is broadly compliant with TSM3 and should the proposal be sited on land that wasn’t allocated as public open space, the proposal would be broadly compliant with planning policy.

In addition to the report additions, an additional condition is required based on the most up to date Ecology response.

Ecology Condition

No development approved by this permission shall be commenced until an upgraded Biodiversity Enhancement Scheme including locations, types, specifications and numbers of any proposed biodiversity enhancement measures including tree planting and hedgerow planting, where feasible is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of biodiversity and to accord with Policies EQ4 and SP14 of the Carmarthenshire Local Development Plan and the Environment (Wales) Act 2016, PPW (Edition 11, January 2021) and Carmarthenshire County Council Tree Strategy May 2022.

Application No	PL/04147
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Proposal	Proposed Detached Dwelling
Location	Plot adjacent 1 Bay View, Pwll, Llanelli, SA15 4BE

Details

Part of the original Committee Report was excluded from the published report due to a technical error. The omitted details are shown below:

Highway Impacts

One of the main grounds for concern amongst neighbours is the inadequacy of the local highway network to safely accommodate the development with particular reference being made to the existing junction of Tyle Catherine, the narrowness of the roadways and the current level of on street parking. In granting the previous outline permission, the Inspector concluded that the development was acceptable from an access and highway safety perspective. The Authority's own Head of Transport has reviewed the current application and is of the same opinion whereby he offers no objection to the current application subject to the imposition of certain conditions. Conditions relate to vehicle access, visibility, suitable parking scheme. In addition, details are required to be submitted prior to commencement of development to confirm the integrity of the existing highway-retaining wall will not be negatively affected by construction work. The proposal therefore meets the requirements of policy TR3 of the LDP.

Biodiversity Impacts

The Planning Ecologist has raised no objection to the planning application subject to certain conditions regarding biodiversity enhancements, vegetation clearance and external lighting.

Drainage Matters

An objection received raised flooding concerns. The site is not located within an area at risk of flooding. The proposed surface water drainage scheme for the development would be subject to detailed review as part of a separate Sustainable Drainage Approval Body (SAB) application. The Authority's SAB team have offered no objection to the planning application. Dwr Cymru Welsh Water have also raised no objection to the scheme subject to a condition.

Other Matters

Other matters have been raised in relation to the red line site plan and third-party consultation letters. The application site area has been amended during the course of the application and the entire application site is understood to be within the applicant's ownership. Neighbour notification letters were sent to ensure all third parties notified on previous applications at the site were informed of the current application.

Objections also relate to the plans differing from those approved as part of previous outline permissions at the site. However, as this is a new application for full planning permission the proposed scheme does not need to comply with the conditions on that permission and a different scheme can be proposed.

Consultation

Following receipt of amended plans re-consultation was carried out with third parties and neighbouring properties. Additional neighbour objection letters were received from 7 households and one letter commenting on the proposal. Many re-iterate previous points raised. New points raised are as follows:

- The revised boundary (now correct) results in the angle for vehicular access being reduced.
- Several developments on Tyle Catherine are unfinished resulting in endless construction works, noise and disruption.
- No safe way for construction work to be carried out at the site or machinery/materials to be delivered to site.
- Neighbouring properties always need access to their properties and driveways.
- Planning Authority comments to agent requesting amendments are not published.
- Has consultation been carried out with Highway Authority? Their report should be available to the public.
- Can the Authority provide assurances over potential future damage to neighbouring properties as a result of the development?
- Can the Authority provide assurance that the corner is safe for pedestrians?
- The development will not solve housing shortage in Wales.
- Planning department should visit the site.
- A Community Liaison Officer should be established to address neighbour concerns throughout the process.
- Original outline application was turned down by CCC, it is now 12 years and site is even less suitable with higher traffic.
- No space within the site for vehicle to turn.
- Proposal should be reviewed by Environmental Health.
- Construction costs increasing so work may start but never get finished.
- In the midst of a biodiversity crisis.
- Devaluation of surrounding properties.
- No issue with a house on the site but concerns over access to their property cannot be affected during construction period.

Appraisal

In terms of the additional comments above, many of the points are covered in the original report. The Highway and Transportation Team have reviewed the submitted application in detail and have provided a response to the consultation along with recommended conditions should planning permission be granted. A copy of the response is available to view on the website. The structural concerns to the retaining wall with the highway are covered under condition 3, as recommended by the Highway Authority. Building regulations will be required for the development and will assess structural matters as part of this process. The planning officer has visited the site as part of this current application and previous applications at the site. Any planning permission granted will be subject to a condition specifying the time period

for the planning permission to be implemented and work to commence. Property prices are not a material planning consideration.

Conditions & Reasons

The following additional condition is recommended to ensure construction activity does not adversely impact neighbouring properties:

Condition 16

Construction or demolition works should only be undertaken between the following times, unless prior written consent is received from the Local Authority: Monday to Friday – 7:30 – 18:00 Saturday – 08:00 – 14:00 No noise generating works shall be carried out on Sunday, bank or public holidays.

Reason: In the interest of residential amenity.